

D E B A T E S

OF THE

HOUSE OF LORDS,

ON THE EVIDENCE DELIVERED IN THE TRIAL OF

WARREN HASTINGS,

ESQUIRE;

&c.

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OF THE

HOUSE OF LORDS,

ON THE EVIDENCE DELIVERED IN THE TRIAL OF

WARREN HASTINGS,

ESQUIRE;

PROCEEDINGS

OF THE

EAST INDIA COMPANY

IN CONSEQUENCE OF HIS ACQUITTAL:

AND

TESTIMONIALS

OF THE

BRITISH AND NATIVE INHABITANTS

OF

INDIA,

RELATIVE TO HIS CHARACTER AND CONDUCT WHILST HE WAS
GOVERNOR GENERAL of FORT WILLIAM, in BENGAL.

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P R E F A C E.

MOST of the articles contained in this book have already appeared in various and distinct publications; and were, soon after the close of the process, to which they all bear a relation, compiled into one volume, and published by Mr. Woodfall.

The impeachment of Mr. Hastings had, from a variety of well-known causes, excited at first a curiosity and interest in the minds of the public to an uncommon degree: but as year after year dragged on the lengthened proceedings, without opening any apparent prospect of their termination, this very circumstance, which had a principal share in producing the first impression, and which might have been expected to augment it in proportion as the cause was greater, deprived it of much of its effect. The wonder ceased at what had been

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long, and without variation, in use ; and at length faded into indifference, to all but the last result, which had still the power of novelty to attract it.

By him, who was the immediate subject of this great spectacle, these changes wrought by it in the minds of his countrymen were contemplated with much regret and solicitude. Bound to the stake during a period of nine long years, and assailed, as he had been, by all the powers of the nation let loose at once upon him, all his hopes of future retribution grew naturally out of the sensations of that part of his substance (if the expression may be allowed) which had suffered most from the attacks of his accusers, and to which they were wholly directed ; his present fame, and the estimation of his character in the judgment of futurity. Had he been permitted to mix in that quiet retirement, which his time of life demanded, with the general mass of society, the utmost extension of existence which he could have expected beyond the duration of his bodily frame, was what a page of history might bestow upon him, for having, in a troubled administration of thirteen years, yielded some accession of wealth and respect to the general stock of his country. But
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when every measure of his government was arraigned as criminal in the name of that country, and crimes uncharged were pressed into the cause against him ; and when the two great parties which divided this kingdom, disagreeing in all things besides, agreed in his condemnation, he saw himself placed as it were on a scaffold of such elevation, as to become a conspicuous object, not to one alone, but to remote ages, and distant nations ; and his name doomed to be recorded in large and lasting remembrance, in the characters of praise or infamy, according as the final issue of the trial, if he lived to reach it, should stamp it with either. Unequal as the contest seemed, he knew his own innocence, and thus conscious looked forward with confidence to that issue ; fearful only lest the course of nature, in which there were many chances against him, might intercept it ; and while unconcerned for any incidental consequences of the trial, hopeful only that his reputation might ultimately rise, and its duration increase, in proportion to the attempts which had been made to depress and destroy it.

If in entertaining this expectation he was misled by a false estimate of his own importance, many circum-

stances conspired to create, and to justify the delusion : the enthusiastic anxiety of his numerous friends ; the respect which, even in the most unfavourable times of his prosecution, he experienced from strangers amongst whom he occasionally mixed, but to whom he always sought to be unknown ; the marked interest of his legal advocates in his cause, greatly exceeding the impulse of mere professional zeal, and adding a redoubled force to their accustomed eloquence, though all strangers to him before they were engaged in his defence ; the animated replies which were made by many of the witnesses, both those who were called to the prosecution and to the defence, to questions put to them respecting his general character ; and the loaded testimonials of the native inhabitants of the provinces which he was charged with having oppressed, plundered and desolated, not only disavowing the complaints made on their behalf, but professing the contrary sentiments of applause and thankfulness. To these may be added, though of prior event, the addresses of the British inhabitants of Calcutta, and of the officers of the army ; the first delivered to him on the day of his departure from them ; the latter sent

after him to England: which were such testimonies of general approbation, as had never been bestowed on any of his predecessors in the office which he had held, though many were most deserving of them. His own heart told him, that his intentions had been good; and success had invariably attended them. If from so many concurrent reasons he had arrogated to himself some pretensions to celebrity, it was not either unnatural, or unreasonable, to expect a much larger portion of it, in the event of his acquittal from so severe and complicated a charge, preferred by so great and respectable a body, and tried by so august a tribunal, with a world (as might be said) for its assessors. Had that tribunal pronounced his condemnation, instead of his acquittal, his name would have been founded with infamy to every nation in Europe, and recorded with that dreadful adjunct to the latest posterity: he must have abandoned his own country, or remained in it an outcast from society; nor found in any other a peaceful resting place for the soles of his feet, except that only, if there he might have been permitted to end the short term of his remaining days, which was the scene of his alledged iniquities, and which had already pronounced a very
different

different judgment upon them. Surely then the converse ought to be his lot, since he has passed through such an ordeal, and stood the test of it. Not so: the event of his trial seemed at the same instant to have closed the public attention upon it, though for a short interval revived by the generous efforts of his ever indulgent masters, the East India Company, to alleviate his pecuniary losses, and by an act of extraordinary bounty to stamp their approbation on his past services. The merits of his trial are now known but to a few, and by a very small portion of those distinctly remembered. To the rest of the world, if it recurs at all, the length of its duration, and its legal issue, are probably all that remain of it. Thus far the plea of Davus, and his master's short and decisive reply, may be aptly applied to the case of Mr. Hastings in his appeal to the justice of his country :

“ Non hominem occidi.—Non pasces in cruce corvos.”

Well will it be for him, if no worse destiny awaits him. The virtues of candor and benevolence are gentle and unobtrusive, and although the portion of the far greater
part

part of mankind, rarely operate to the benefit of those who are the public objects of them. * The severity of censure is an active principle, and when under the guidance of malice or prejudice, though but the breath of an individual give it utterance, it will sometimes overpower, or at least outlast, the still voice of applauding thousands. Something like this he has already experienced ; and to guard against the future effects of such a cause, it was natural for him to wish to place, either in the hands of the public, or in such other as would ensure it a conveyance to posterity, some memorial, which might serve at the same time for a protection to his future fame, and a justification of his acquittal : for exalted as that court is by which it was pronounced, its justice may be, and has been arraigned. But how was this to be done ? Not by an appeal to the printed evidence of the trial : for who, even at this day, would impose upon himself the labour of reading twelve volumes in folio of a subject already obsolete ? Not by an abridgment of them : for that would be liable to the imputation of partiality ; and by whomsoever it were executed, either partiality or prejudice would of necessity prevail in the composition of it. Any history, or
narrative

narrative of the trial itself, or of the events which gave birth to it, would be equally suspicious on the same grounds, and might admit the construction of the grossest vanity and presumption, and so far as Mr. Hastings was concerned in it, of equal folly : for what could be said upon such a subject, and for such a purpose, which would not imply, that the writer of it thought his judgment of more weight than that solemnly given by the Peers of Great Britain, composing the first and most awful tribunal upon earth ?

The expedient which appeared to Mr. Hastings the least obnoxious to any of these constructions was, to adopt such authentic publications as had already made their appearance for other purposes, though directly tending to the end proposed : and of such the following articles consist, with the addition of a few others of the same kind, which have since, and but very lately, been produced, namely :

1st. The debates of the Lords themselves in their own House on the evidence of the trial, assigning and discussing on both sides the arguments upon each question proposed for their verdict, and ending with their verdict severally and solemnly delivered.

2d. The

2d. The debates of the General Court of Proprietors of East India stock on the questions proposed for the indemnification of Mr. Hastings's losses sustained in the course of the trial, and for granting him a bounty, as a reward for his services; their resolutions in consequence, and the prosecution and termination of the same subjects by the Court of Directors in concert with his Majesty's Ministers.

3d. The addresses of the British inhabitants of the city of Calcutta, and of the officers of the army of the Bengal establishment, delivered before the trial.

4th. The testimonials of the various ranks and tribes of the Indian inhabitants of the provinces of Bengal, its dependencies and connections, transmitted through the channel of that government to the Court of Directors, while the trial was yet pending, and known to be so to the subscribers.

5th, and last. The letters of congratulation which were written to Mr. Hastings by the British inhabitants of Calcutta; by the officers of the different stations of the army on the Bengal establishment; and by the British inhabitants of the Company's settlement at Fort Marlborough; with his written acknowledgments of the

fame. These last are the only parts of the compilation, which are foreign from its professed design, though immediately connected with it; and are added only to record his respect, gratitude and attachment to his countrymen and fellow servants, who had a claim to such returns from him, as due, both in sentiment to their intrinsic virtues, and in expression to their generous and unquestionable attestations of his merits, in their opinion of them.

An exception may be taken to the epithet “ authentic,” which has been used to express the character of these documents, as not properly applicable to the first on the list, though it is so to the rest: nor was it meant to be taken in its strict sense. The speeches of the Lords are in their nature incapable of authentication. Their substance was accurately taken down from day to day, and published at the close of every week. They were afterwards transcribed and printed *all* ~~a~~ together in a book, and published by Mr. Woodfall. Their fidelity was never called in question. Mr. Hastings has most reason to regret that they are not genuine copies of the letter, as well as of the spirit, of what was spoken. But though they are not of the best possible

possible authority, they are of the next best, and, therefore, such as, in the case of an evidence in law, would, on the same ground, be deemed valid.

To the other articles of this compilation there can be no objection. For who are so competent to speak of Mr. Hastings's services as the masters who employed him? Who to attest his general character, as they who were the instruments of his public measures, and on whom a portion of their infamy would have attached, if they had been devised for the purposes of corruption and oppression; and the people who were the immediate subjects of his rule, and the consigned objects of his justice and protection? And with this short comment he dismisses the whole to its destined purpose.

For the portrait, which he has caused to be engraved for the frontispiece, if any apology is due, it is due only to the noble personage whom it represents. It was not intended as a tribute of gratitude, but as the pledge of a veneration surpassing far all that he ever felt for any human being, and placed there with an ardent wish, that if the means which he hath devised to transmit these papers with his name to posterity, shall prove effective of that end, both may go accompanied with the

noblest and most appropriate decoration that he could bestow upon them. Let him not be understood by this exception to disclaim all acknowledgment of obligation. Far from it. He owes to the noble Lord in question, and he has a pleasure in declaring it, greater obligations than to any man, living, or departed. Nor can it detract from his conception of their extent, that nothing personal was intended by the pure mind which conferred them ; or that they proceeded from a motive, which excluding every consideration of him, as extraneous to it, produced the effect of a benefaction, and that of the highest nature, but which would have ^{been} lost, if it had been indeed intended. He acknowledges an obligation of a similar kind to every Peer who gave a verdict for his acquittal. Justice is so precious a thing, that he above all men ought to feel grateful for it, who most stood in need of it ; and poor in thanks should he, be indeed, if he could coldly withhold his acknowledgment of it, till he had examined whether the source from which it flowed had a superior claim to his respect, or to his affections.

While he is discharging his debts of gratitude, let not those be forgotten which he owes to the Proprietors

of the East India Company, and the Court of Directors, for their munificence to him, and to his Majesty's Ministers for their allowance of it. Although bestowed most seasonably to relieve him from a state of present insolvency, and the dread of want from which he had no other prospect of escaping, he accepted, and remembers it, only as an optional bounty; nor will he allow any part of it to pass as an indemnification for the losses which his fortune had sustained by his impeachment. For this, he repeats, he had no claim on the Company. His claim was on his country; and it still exists against it. This distinction is not made with a view to the assertion of any right which he might ground upon it, but to justify his benefactors, by marking his sense of the nature and extent of the benefaction. He is not unwilling, however, to record it as a salutary memorial of the insufficiency of the jurisprudence of this kingdom to protect innocence against the punishment which is due to guilt alone, to tried and established guilt; but in this and similar instances, if similar have occurred, transferred by the power of accusation to tried and established innocence.

Endless

Endless would be the task to enumerate all the benefits which he has received, which were rendered necessary by his impeachment, and were heaped upon him in consequence of it. To an ingenuous and independent spirit such a burthen, under other circumstances, would be intolerable. To him it is the reverse. He must bear it through life, nor can he, nor ought he, to wish ever to shake off its weight. Every benefit so conferred ennobles the heart which prompted it, and does honor to its object. Like the poet's description of mercy, "it is twice blest: it blesteth him that gives, and him that takes." His public friends of this description have been many; his personal not a few. Of the first of these classes are the native inhabitants of the British dominions in India, who interposed their confederated suffrages in his behalf. In both, perhaps, he may include a great part of his countrymen, who united theirs for a different, though equally beneficent purpose.

It is to these last almost exclusively, to the British inhabitants of Calcutta, to the officers of the army on the establishment of Bengal, and to his fellow servants of the settlement of Fort Marlborough, that he devotes the books of this impression. He desires that they may
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be severally presented to every gentleman who has already manifested an interest in the subject of them, by the joint addressees to which they have affixed their names. He requests their acceptance of them, wishing them to be considered rather as a charge, than as a gift. They have all made his their common cause by their espousal of it. He makes it his request, that they will retain these deposits themselves while living, and transmit them as a perpetual trust to their children and descendents. Some at least of the number thus distributed will survive the lapse of that time to which such humble desert as his might aspire to be remembered, and serve as the materials of refutation against both the misrepresentations of contemporary historians, and the revival of the documents of antiquated malevolence, or the love of paradox, in those of another age.

. Chequered as his life has been, and unprofitable the last long period of it both to himself and to society, yet in the review of the whole he sees so much cause to rejoice at the predominancy of the good which has been its allotted portion, that he is content, and thankful for it; and looks forward to the future with a firm and devout reliance on that Being, who has graciously and
signally

signally protected him through so many vicissitudes of his life ; who has lengthened his sense of its duration by a greater variety of incident than such as commonly falls to the lot of other men ; who hath indeed visited him with difficulties and calamities, but hath caused them to pass without a sting, and converted them into the means either of averting worse evils, or of producing some substantial good ; who hath placed him in situations to become, as he humbly deems he has been, an instrument in his good providence for some purposes beneficial to his fellow-creatures ; and who hath consigned him in his last stage of mortality to the peaceful possession of social cheerfulness and domestic felicity ; with the final hope, that when the destined hour of his corporeal extinction arrives, he shall not wholly die ; but still live in the hearts of many, and his name be transmitted with respect to generations yet unborn, through the protecting care of those, who stood forth to do it honour, while its possessor was living.

PROCEEDINGS, &c.

THE first Tuesday in the present session being appointed for taking further into consideration the Impeachment of Warren Hastings, Esq.

Lord GRENVILLE moved, on Tuesday the 6th of January, that the further consideration of the proceedings should be postponed to Tuesday the 13th.

TUESDAY, Jan. 13, 1795.

The LORD CHANCELLOR (*Lord Loughborough*) observed, that the indisposition of a noble and learned Lord (Thurlow) induced him to propose to postpone the further consideration of the Impeachment, until that learned Lord, who, for so many years, and with so much honour to himself, had presided in their Lordship's Court in Westminster Hall, was able to attend in his place; but that no time might be lost, and that their Lordships might have the advantage of the fullest information on so important a subject, he would move, that a Committee be appointed to inspect the Journals, and

to report to their Lordships all that appeared, as to the mode of giving judgment on trials of high crimes and misdemeanors.

THURSDAY, *Feb.* 19.

The report * was presented, and ordered to be taken into consideration on Thursday the 26th of February.

THURSDAY, *Feb.* 26.

The order of the day being read for taking the report of the Lords' Committee, appointed to inspect the Journals, as to the mode of giving judgment on trials for high crimes and misdemeanors, into consideration,

Lord THURLOW rose, and observed, that on attentive consideration of the various precedents reported to their Lordships, it did not appear that any one of them came near the case now under their deliberation. The one that bore any thing like a resemblance to it, was the case of Lord Middlesex, who was impeached on a variety of articles, some of which contained different allegations. The impeachment of Mr. Hastings was in many points distinct from every other case, which had been brought before a Court of justice, in Great Britain. The number of articles preferred were twenty, each containing a great variety of different allegations.

* Vide the Report at the end of the Proceedings.

The Commons had given no evidence on fourteen of the articles, and upon very inconsiderable parts of three more. So that, to speak more accurately, it might be said, that on four fifths of the allegations the Commons had given no evidence at all. It appeared, therefore, but an act of justice to the defendant, to acquit him, in the first instance, of four fifths of the matter stated in the articles. As to those articles on which the Commons had given evidence, it appeared to him to be impossible, either in justice to the Commons or to the defendant, to put one question only on each article, which had been the general practice; because each article comprised so many criminal facts, that, if there was any difference of opinion among their Lordships, it would be necessary to put a separate question upon each allegation. What he should propose, therefore, for the present, would be, that the House should resolve itself into a Committee of the whole House, where the matter might be fully discussed, and where every noble Lord would have an opportunity of delivering his sentiments on every point, in the fullest manner.

The LORD CHANCELLOR concurred entirely in opinion with Lord Thurlow.

The report was therefore referred to a Committee of the whole House.

On being asked by the Lord Chancellor, what day he would propose to proceed?

Lord THURLOW said, he was ready at any time, having gone through the whole of the evidence with all the care and attention of which he was capable; but, as some noble Lords wished

a farther time to refresh their memories, he proposed to proceed on the following Monday. Which was agreed to.

MONDAY, *March 2.*

The House having resolved itself into a Committee on the impeachment of Warren Hastings, Esq.

Lord THURLOW rose to open the mode of proceeding. He explained at very considerable length his idea of the nature of the present trial. He observed, that for its duration, and the immense mass of criminality imputed to the defendant, it had no parallel in the history of this, or of any other country. His Lordship complained much of the looseness and inaccuracy with which the articles were drawn, containing many assertions which were either palpably false, or grossly absurd, and which a very moderate application to the documents, of which those who supported the prosecution were in possession, would have convinced them could not be substantiated. He was very far from wishing to throw an imputation on the Managers for these inaccuracies, and still less on the House of Commons, who could not possibly be supposed to look at the minutiae of such extensive articles, comprehending in them all the important transactions of a great empire for the space of thirteen years. The zeal of the agents who drew the articles, had certainly outrun their discretion. The impeachment, however, might now be said to rest upon four points—breach of faith, oppression, and injustice, as in the two articles of Cheyt Sing and the Begum; corruption, as in the articles of the
presents;

presents ; and a wanton waste of the public money for private purposes, as in the contracts. In considering the two first points, he conceived it would become their Lordships to reflect on the situation in which Mr. Hastings was placed. Possessed of absolute power, the question would be, had he exerted that power for the public good, or had he on any occasion been actuated by base or malicious motives ? If in the case of Cheyt Sing and the Begums, their Lordships should be of opinion that he was neither malicious nor corrupt, the charges naturally fell to the ground. It was the duty of Mr. Hastings to preserve the empire committed to his care, and in pursuit of that important object to adopt the measures best adapted to attain his end.

Lord Thurlow said, that the preamble to the articles was materially defective. It charged Mr. Hastings as the author, and fixed upon him the sole responsibility of all the acts recited in the twenty articles. The preamble contained a false statement of his situation, for the purpose of fixing responsibility upon him for acts, in some instances, done by others ; in some instances, in which others participated : but as Mr. Hastings was the only person impeached, the preamble supposed him to possess the sole power in Bengal ; yet from 1772 to 1774, he was the president of a council of thirteen ; from 1774 to 1776, he was president of a council of five, and invariably in a minority. From 1776 to the time of his departure in 1785, he sometimes possessed that power which his casting vote in council gave him, and, on many important public occasions, was over-ruled by a majority. By a precedent at that time on the table, it appeared that the House, in the case of the Earl of Suffolk, had discharged several articles of his impeachment, because
other

other Lords of the Council, who were concerned with him in the matter contained in the articles, were not impeached. His Lordship again desired to be understood as laying no blame upon the House of Commons for preferring articles, comprising a space of thirteen years, and including in them every act of importance done during that period in Bengal, civil, military, political, and financial. He could not, however, avoid expressing his fullest conviction, that if in the last Parliament the Commons had separately considered the allegations in each article, they could not, under any possible circumstances, have been sent, in their present shape at least, to their Lordship's Court.

As to the mode of proceeding, it occurred to his Lordship, that the only way to do justice both to the public and the defendant, would be to take up the allegations in the articles one by one, if any difference of opinion should exist. For instance, if their Lordships were of opinion that the Commons had not made good any part of the *Benares* article, then a single question might decide it; but if any noble Lord thought that some allegations were made out, and others not, it would be necessary to put a vote upon each, since, in point of fact, there were so many acts stated to be criminal, that the *Benares* charge did in truth contain a great number of articles, on each of which, if a difference of opinion existed, they must come to a separate vote.

The LORD CHANCELLOR concurred generally in what had fallen from the noble and learned Lord, but could not go quite so far as to say that Mr. Hastings would be justified in any gross abuse of the arbitrary power which he possessed, even though it should be made clear that he was actuated neither by corrupt nor by

malicious motives. Mr. Hastings had great power lodged in his hands undoubtedly. He was responsible to his country for a proper use of that power; and however pure his intentions might have been, if he violated every principle of morality and justice, he should not think that any public exigency ought to be pleaded as a justification. His Lordship fully concurred with Lord Thurlow in opinion, as to the looseness and carelessness with which the articles were drawn, and the great length to which they ran. He also conceived that the mode proposed to be adopted by the noble and learned Lord was the most proper, as a proceeding of this great importance could not be too deliberately considered; and when their Lordships had gone through the whole in the Committee, there would be an opportunity to reconsider it upon the report.

LORD THURLOW said, that as their Lordships seemed to be unanimously agreed to proceed point by point, he would begin with the Benares charge: and here he conceived no question could possibly arise until they came to the demand made by the Bengal Government for a war subsidy in the year 1778. This demand, the Commons assert, though made apparently on public grounds, was in fact made to satisfy the preconceived malice of Mr. Hastings, and was part of a regular plan laid down by Mr. Hastings to effect the total ruin of Cheyt Sing. Their Lordships therefore must examine the question of right, and they must look, which he confessed he had in vain, for the evidence to substantiate the charge of malice. If there was no proof of malice, the charge fell to the ground, unless the acts done by Mr. Hastings were of such a nature as to carry along with them ample proofs of the malicious motives in which they originated.

originated. In reviewing this subject, he saw the most perfect consistency in Mr. Hastings's conduct throughout.

When Mr. Hastings first proposed to demand military aid from Cheyt Sing, he began by declaring his perfect conviction of the right of the Company to make that demand. He appealed to the written instruments which had been executed on the transfer of the sovereignty of Benares to the English, to prove that we had not given up the right, and he properly resented the Rajah's disobedience.—Mr. Francis, professing to entertain doubts as to the right, always concurred with Mr. Hastings in making the demands, but drew back in the years 1778 and 1779, on the Rajah's delays in complying with those demands. In 1780, indeed, he fully concurred with Mr. Hastings. His Lordship observed, that he should have occasion to recur to some passages in the written evidence, to shew that the facts which he had mentioned were fully proved by it, and therefore he would propose to defer their decision unto the following day.

After a few words from Lord MOIRA and the Earl of CAERNARVON, on the nature of zemindary tenures, the Committee reported progress, and were appointed to meet the following day.

TUESDAY, *March 3.*

The House having resolved itself into a Committee on the impeachment of Warren Hastings, Esq. the clerk proceeded to read from the evidence given on the prosecution and defence, the several letters and consultations that had a reference to the demands made in
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the years 1778, 1779, 1780, the demand of cavalry, and some other points, which Lord Caernarvon desired might be read. From the number of books which were to be referred to, the Managers having omitted material passages necessary to the clear understanding of the subject, which were to be made up by a reference to the evidence given in defence, near three hours were employed in reading evidence, when

Lord THURLOW rose and said, he was exceedingly sorry indeed that he had undesignedly been the cause of so much of their Lordships' time having been consumed, and so little to their edification. If he had not believed that less than half an hour would have answered for all he wanted, he would have trusted to his own notes, which he now found were perfectly accurate. All he could assure their Lordships was, that he would not bring them into such a dilemma again.

The Earl of CAERNARVON desired it might be understood that he had not proposed the reading of evidence; but finding the clerk employed, he had desired him to read some additional passages, which in his view of the subject appeared to be material.

Lord THURLOW said, he took the whole blame to himself, and would avoid such an error in future. He assured their Lordships, that when they met again, he would do what he was confident every other noble Lord would do also: he would refer to every tittle of evidence that applied to the article before their Lordships; but if by chance he missed any point, which if he did, it must be by mere accident, for he had attentively read and considered the whole, any noble Lord would supply the defect of his memory, by

referring to the evidence itself; and the same rule would obtain with every other noble Lord.

The Committee then adjourned to Thursday the 5th of March.

THURSDAY, *March 5.*

The House resolved itself into a Committee to consider further of the charges of the impeachment against Warren Hastings, Esq. and after a pause of some minutes,

Lord RAWDON (*Earl of Moira in Ireland*) rose, and said, if no other noble Lord would condescend to begin the discussion of the day, he would take the liberty of opening it, not conceiving that the circumstance of his not having been able to attend the Committee before that day, precluded him from giving his opinion on any part of the proceedings, as he had been present pretty regularly on the days of trial in Westminster Hall. His Lordship said, he would not make a motion, but would state two propositions, leaving it to their Lordships to form any question out of them that they should think proper to submit to a vote.

His first proposition, which for the sake of convenience he would put negatively, would be to this purport :

“ That the government of Bengal had no right to exact a tribute from Cheyt Sing.”

If this question was decided affirmatively, it would put an end to farther discussion; if it were negatived, he would then state, as a proposition naturally resulting from the negative of the former,

“ That

“ That the government of Bengal had regularly exercised their right of sovereignty in exacting tribute from Cheyt Sing.”

Lord Rawdon said, that he certainly intended to vote against his own motion, because he was perfectly convinced that the Bengal government had a right to demand military aid from Cheyt Sing, in time of war, and that Mr. Hastings would have neglected his duty if he had not demanded it. He was equally convinced, that in making the several demands, Mr. Hastings was not actuated by malice, but by a sense of public duty. He was not so fixed in his opinion as to the mode of proceeding, as not to be perfectly willing to adopt any other motion that might be made, which would equally conduce to bring the merits of the case into discussion.

The Earl of CAERNARVON observed, that previous to any discussion of the mode of proceeding into the examination of the various allegations, he conceived it would well become the dignity and the honour of their Lordships, to settle what Lords had, and what noble Lords had not, a right to vote. He saw new faces in the Committee every day; but it would be to the eternal disgrace of their Lordships, if Lords who had not attended should ultimately vote in Westminster Hall. His Lordship objected to the motions of Lord Moira, and preferred the mode of taking the criminal allegations separately.

Lord RAWDON said in reply, that he was sure the noble Earl did not allude to him as amongst the Lords who had not attended; for except to some part of the reply in the last year, he had attended the trial very regularly. On this article, however, his Lordship said, the evidence brought by the prosecution had so completely acquitted Mr. Hastings of all degree of blame, and had so

established his merits, that he for one would have been ready to acquit Mr. Hastings had he not heard one word in his defence. As to his motions, their Lordships would recollect he had not made them, but merely stated them as propositions. He was ready to withdraw them, and to give way to any noble Lord who might propose any other method of arguing and discussing the merits of the case.

The Earl of COVENTRY said, that though perfectly agreeing with the noble Earl, that it would be in the highest degree indecent for Lords to vote who had not attended, he knew not how they could draw the line.

The Earl of MANSFIELD expressed the same sentiments. To himself the observation of the noble Earl could not apply, for it had happened, by the most extraordinary good fortune, as he might call it, that in a trial which had lasted seven years, he had not been absent more than seven hours.

The Marquis of LANSDOWN strongly contended that it was the right of every noble Lord, even those created in the present session, to vote if they pleased, because they had not the power to draw the line, nor to abridge the privileges of any one of their Lordships. But when he admitted the right, he would add, God forbid that in a single instance he should see the right exercised. Indeed there was no danger. He congratulated their Lordships on the grave, solemn, and judicial manner in which they were proceeding. It was highly to the credit of Government, that nothing like party or influence appeared. A trial which had lasted seven years, and had attracted the attention and the wonder of the world, would now be determined by the fixed rules of law and justice. As

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to the Benares article, he had attended it during the prosecution, and was ready, like the noble Lord (Moir), on that partial statement of the case, to vote for the acquittal of Mr. Hastings, if he were to vote at all, which he certainly did not mean to do, having been most unwillingly compelled to discontinue his attendance by the state of his health, after the first two and twenty days of the trial. He had, however, read all the proceedings, and had certainly formed a clear and decided opinion upon the case. He should deem it his duty to attend the Committee, and to offer his sentiments from time to time if he thought it necessary.

The Earl of CAERNARVON rose again, and said he was not convinced by any thing which had fallen from noble Lords, that the House had not a right to determine what Lords should and should not vote: he claimed it in justice to Mr. Hastings; in justice to their Lordships, some of whom might eventually at a future period be in his situation; and it appeared to him to be a most monstrous idea, abhorrent to every principle of the law of England, that judges who had not heard, should determine a criminal cause.

Lord THURLOW rose, and though perfectly concurring in sentiments with the noble Earl, as he believed every Lord present did, yet gave it as his opinion, that every Lord must draw the line for himself; his own conscience and his own sense of honour must determine how many days attendance entitled him to vote. If their Lordships thought they might controul the Court, the mode must be, to appoint a Committee, to examine what days the several Lords had attended, and then to determine how many days attendance entitled a Lord to vote. His own situation for
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the first five years of this trial, his Lordship said, had made his attendance indispensable. He certainly had slackened in his attendance the two last years, and if on that account he were to be excluded, it would save him a good deal of trouble; and had he earlier known of such a resolution, it would have saved him much more; since he had been employed diligently for some months in going through an immense quantity of rubbish and trash, in the midst of which was dispersed the very little evidence, which was of consequence in this cause. The noble Lord who proposed the motions was willing not to make them; and he, for his part, was so perfectly indifferent as to the mode in which the matter was discussed, that the different manner in bringing it forward was not, in his opinion, worth the half hour that had been lost in debating it. For the sake, however, of coming to some point, he would move that “the Bengal government had a right to demand
“ military aid from Cheyt Sing.”

The LORD CHANCELLOR said, he had but one objection to that motion, which was, that it did not go to the whole extent of the charge, and consequently would prove nugatory; because, supposing the right to be admitted and established, it would still remain a question, whether that right had been reasonably, expediently, and wisely exercised. His Lordship detailed and reviewed all the circumstances under which the subsidy had been claimed and received in 1778 and 1779; and said, he was ready to admit, that the Commons had not made good their charge in respect to those two years; with regard to them, therefore, Mr. Hastings must stand acquitted. But the conduct of the Governor General in relation to the transactions with Cheyt Sing, in the

year 1780, appeared to him to stand in a different point of view, and to call for other considerations. To say, the least of that conduct on the part of Mr. Hastings, it merited a certain degree of blame; but how far it might rise up to a high crime and misdemeanor, would depend on other and future proceedings of the Governor General, that yet remained to be discussed. His Lordship explained the ground on which he rested this observation, to be the fact of Mr. Hastings having, in the year 1780, received a present of two lacks of rupees, and having altogether suppressed that circumstance from his council, when they were about to make a further claim of five lacks from Cheyt Sing, as the war subsidy.

Lord THURLOW begged to know, what question they should agree to decide upon. He declared, he was perfectly indifferent as to the form of the question, provided it was clear and intelligible. He by no means wished that they should come to any decision in the Committee, which would either preclude or effect the full exercise of every noble Lord's judgment, when, after repeated discussion of the charges, allegation by allegation, they should arrive at the stage of the business, when they should have to consider what should be the question to be put to each noble Lord in Westminster Hall.

The LORD CHANCELLOR coincided with the noble Lord, and farther explained himself.

Lord THURLOW replied very shortly; and it was agreed to take the question on each specific fact criminally alledged in the charges, excepting only where they were so blended as to constitute collectively one head of charge.

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The Chairman of the Committee (Lord Walsingham) then read the question in the following form: " That the Commons had " made good their charge in respect to the tribute claimed and " received from Cheyt Sing, the Rajah of Benares, in 1778."

The Earl of RADNOR said, he did not mean to detain the Committee from the question: he rose merely to suggest the insertion of a few words by way of amendment, viz. after the word " that," to insert the words, " It be the question in Westminster " Hall, that—" His Lordship in an under tone of voice stated the reasons which induced him to offer this amendment.

The Earl of CAERNARVON said, he understood that it was on all hands agreed, that any question put and decided upon in the Committee with regard to particular facts and allegations in the charges, was not to interfere with or affect the question or questions that were to be put ultimately to noble Lords in Westminster Hall, that ultimate question was to remain untouched for the present, and fully open to future free discussion, after the Committee had gone through all the parts of the various clauses separately.

Lord THURLOW declared that to have been precisely his meaning. His Lordship spoke of the great importance of the proceeding, the respect due to the Commons who had sent up the impeachment, and thence inferred the propriety of subjecting the charges and the evidence, in part and in the whole, to frequent, solemn, and deliberate discussion.

The Earl of RADNOR said he must still persist to move his amendment.

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The question was then put, " That the words of the amendment stand part of the motion," when the chairman declared the *Not-contents* had it.

The question was then put on the original motion, and the *Not-contents* carried it *nemine dissente*.

The Committee adjourned to the next day.

FRIDAY, *March 6.*

Their Lordships having resolved themselves into a Committee of the whole House, proceeded to the farther consideration of the charges preferred by the Commons, as constituting the articles of impeachment against Mr. Hastings, the evidence adduced in support of the charges, and the proceedings on the trial.

The LORD CHANCELLOR opened the discussion of the day by a masterly display of all the facts relative to that part of the first article of charge which related to the conduct of Mr. Hastings, in respect to his having taken two lacks of rupees as a personal present to himself from Cheyt Sing, in the year 1780, and in the same year demanded a tribute of five lacks, together with the demand of the cavalry, and all the subsequent transactions, including the correspondence between Cheyt Sing and the Governor General, the proceeding to arrest Cheyt Sing, and the consequences that followed. His Lordship compared the evidence with the facts, as he argued upon each, and declared he rested upon no fact which had not, in his opinion, been either fully established by written or parole evidence, or admitted by Mr.

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Hastings himself in his defence, delivered in by him to the House of Commons. He read the several letters in question, treated fully of the negociation with Mr. Hastings at Calcutta, carried on through the medium of the Rajah's Buxey, in order to get the war subsidy remitted; and after having minutely detailed every circumstance of that part of the Benares charge which referred to the before-mentioned events, and contending that collectively they clearly and undeniably conveyed much imputation of blame on the Governor General, his Lordship adverted to two other material points, which must necessarily weigh considerably with their Lordships in preparing and making up their minds to the general judgment that would ultimately come to be considered, viz. the motives that influenced Mr. Hastings, and the principles of government on which he avowedly acted in the course of that conduct which it had been his business that day to review.

A man's motives, his Lordship said, was the last matter for him to inquire into, or to decide upon, because in general they were inscrutable, being known only to himself and to the Almighty; but when a man, so far from attempting to conceal or dissemble his motives assigned them himself, and declared openly that those were the motives on which he professed to act, and did actually proceed, it was impossible not to believe him, and not only fair and warrantable, but necessary, to consider and to treat them as the motives of his conduct. Mr. Hastings had declared in his defence given in to the Commons, and it appeared in various parts of the evidence referring to the particular subject under consideration, and to other charges, that he acted from motives of personal resentment to Cheyt Sing, and meant to punish him for an affront

to himself. With regard to the principles of government laid down by Mr. Hastings, it clearly was his principle to consider himself as an absolute sovereign, and to conceive that he had, as such, a right to exact from tributary and dependent princes, all their grain, and all their revenues, in moments of danger and exigency to the existing government of the country. This was, his Lordship said, a most abominable principle of government, a principle that a British House of Parliament should never listen to with patience; and yet it was evident that Mr. Hastings not only acted upon it, but recommended it to Lord Macartney, as a principle to be exercised by the British government in Madras, and in every part of India, during a war with Hyder Ally, or any powerful prince in the country. Their Lordships might satisfy themselves upon this point, by turning to the evidence in reply, where they would find the letter from Mr. Hastings to Lord Macartney, to which he alluded. In that letter he strenuously advises the noble Lord to take all the Rajah of Tanjore's grain and treasure for the public service, leaving him in possession only of a bare subsistence during the war. Having expatiated on this point, and stated the difference between an absolute sovereign, and a governor of a distant territory belonging to Great Britain, he expressed himself happy in the recollection that every minister was responsible for his conduct to that House, whether he acted under the orders of his Majesty or those of the East India Company; and viewing the four several clauses in the light which he did, he conceived they amounted to that which the Commons had charged, a high crime and misdemeanor. He should therefore conclude by moving that the Commons had made good the first article re-

lative to the subsidy of 1780; the demand of cavalry; and the injustice of Mr. Hastings, in falsely accusing Cheyt Sing of being unpunctual in the payment of his kists; and the arrest, for the purpose of fining him forty or fifty lacks of rupees.

The Lord Chancellor said, that Cheyt Sing's letter to Mr. Hastings was a full and complete refutation of all the groundless charges which had been preferred against him by Mr. Hastings; that it was in a style, humble and submissive to a degree, that made it disgusting almost to read; but Mr. Hastings had not scrupled to say, that the letter was offensive in style, and unsatisfactory in substance.

Lord THURLOW said, he was sorry to find that the noble and learned Lord had departed from the rule, which he had conceived to have been agreed on, to proceed with the parts of the charges separately, and to come to a question upon each one after the other. The noble and learned Lord had blended under the question, various parts of the same charge, amounting collectively to the most gross part of the charge, and called for their Lordship's decision upon it, which might tend to puzzle the Committee, and confound their judgments. He explained the grounds of the offer of the two lacks to Mr. Hastings as a personal present, which was refused in the first instance; he then stated the intervening circumstances that induced him to accept the two lacks afterwards, his conduct thereupon, when he ordered it to be paid to Mr. Larkins, and directed Mr. Larkins to place it to the Company's account, and went next to the discussion of the demand, and taking of the five lacks, which were claimed, and taken also in the year 1780. The claim of the war subsidy, his Lordship

ship said, had been assented to by the council, when first stated to them by Mr. Hastings, as a measure necessary to be adopted, and had been in consequence actually applied to the Ways and Means of the year in supply of the current services. Lord Thurlow said, that he trusted the learned Lord would, on farther consideration, be induced not to depart from the line which had been adopted for their proceedings, after much and mature deliberation, and adopted, as he conceived, with the unanimous approbation of their Lordships. The Commons charged four acts of Mr. Hastings as four separate crimes:—the demand of the war subsidy of 1780; the demand of cavalry; the false accusation of Cheyt Sing, for unpunctuality in the payment of the gifts; the correspondence with, and arrest of Cheyt Sing. It was absolutely impossible therefore for their Lordships, if there was a difference of opinion amongst them, to put a single question on these four criminal allegations. He should therefore propose to put a separate question upon each, beginning with the first in order, the war subsidy of 1780. He could not, however, forbear to take some notice of the noble and learned Lord's allusion to a letter written by Mr. Hastings to Lord Macartney in the month of July, 1781, and introduced by the Managers in their reply, upon grounds totally different from those to which the noble and learned Lord applied the letter. But as he had alluded to it, Lord Thurlow said, he would state the circumstances which gave rise to the letter; then he would state the substance of the letter itself; and he was confident that every noble Lord present would feel the conduct of Mr. Hastings to be completely justifiable, and highly laudable in every point of view. Their Lordships all recollected that in

September

September, 1780, Hyder Ally, after having cut off the flower of our army, over-ran the Carnatic with sixty thousand horse, and for many months after that unfortunate event, it was a point of extreme doubt whether we could preserve any footing on the coast of Coromandel, notwithstanding the great exertions of Mr. Hastings for its support. Under these circumstances, the governor who preceded Lord Macartney wrote to Mr. Hastings, that the Rajah or Poligar of Tanjore had refused a supply of grain to our army, for which the President had written a letter to him expressive of his displeasure. Speaking of this transaction to Lord Macartney, who had succeeded to the government but the month before, Mr. Hastings expresses his astonishment that such language should be borne at a season of such distress. He tells Lord Macartney, that while the state, of which Tanjore is a subject, is in such extreme danger and distress, he conceives the Madras government has a right to demand from the Rajah every aid which the country can afford; that while the service, in the present desperate condition of it, shall last, he would not leave the Rajah a grain of rice in his granaries, or a rupee in his treasury, beyond what is necessary for his personal subsistence. Lord Thurlow said, he was confident there was not one of their Lordships that would not applaud the good sense and the spirit of this letter, provided he considered the actual situation of our affairs in the Carnatic at the time the letter was written. Every statesman, he was confident, must approve of the manly sentiments uttered by Mr. Hastings; they amounted in substance to this—*Salus rei publicæ suprema lex*. Mr. Hastings, he said, had been called a tyrant; he was so indeed, if it was a mark of tyranny to exert every

every nerve for the preservation of the empire committed to his charge, at a moment when every exertion was necessary to repel the danger which surrounded us. With regard to Mr. Hastings's definition of the principle of government in India, it was no more than the adoption of what was laid down by that great writer Montesquieu, who said in so many words, " that the right of an
 " absolute sovereign is every thing ; the right of the people un-
 " der him nothing." Every body knew that the natives of India had not an idea of any other principle of government ; but his Lordship said, he held Mr. Hastings strictly responsible for the use which he made of the arbitrary power confided to him for so many years. Lord Thurlow said he should conclude, and would hereafter move, that the Commons had made good the first article, so far as it related to the war subsidy of 1780.

The Earl of COVENTRY fully concurred with Lord Thurlow, and said, the demand of 1780 was precisely similar to the two demands of 1778 and 1779, on which the Commons had put separate questions. He also observed, that the two lacks presented to Mr. Hastings in 1780 was never considered by the Rajah Cheyt Sing, as in part of payment of the five lacks afterwards demanded.

The Earl of CAERNARVON strenuously contended, that the motives of Mr. Hastings were avowedly those of resentment and personal malice. He referred to passages in the defence of Mr. Hastings to prove this assertion. With regard to what the noble and learned Lord had said of Montesquieu having laid it down, " that the right of an arbitrary prince was every thing ; the rights
 " of the people nothing ;" Montesquieu, he said, did not lay it
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down as a principle of government, but only observed, that the conduct of arbitrary governments had amounted to that, and had been such in effect. He reprobated Mr. Hastings's treatment of Cheyt Sing all through, and asked, what was to be said of a man, who himself declared he did not treat Cheyt Sing as a British governor would have treated a dependent on a British government, but as Sujah Dowlah would have treated one of his dependents? His Lordship expatiated on Mr. Hastings's taking the present, which, he contended, according to its amount, lessened the means of Cheyt Sing to pay the five lacks subsequently demanded. Nor had Mr. Hastings treated those who were his dependents, politically considered, with that injustice only; he had treated his ally, the Nabob of Arcot, in the same manner, as was evident from his instructions to the President of Fort St. George.

Lord THURLOW said, across the table, Lord Cornwallis had thought it right to pursue that line of conduct in a moment of similar exigency.

The Earl of CAERNARVON rose again, and said, that by seizing the government and revenues of Arcot and Tanjore, Marquis Cornwallis had committed a greater act of violence and oppression than any which Mr. Hastings was accused of having committed.

The LORD CHANCELLOR said, he had no objection to withdraw his proposed motion for the purpose of substituting Lord Thurlow's in its place.

Viscount SYDNEY said, he wished the facts criminally alleged to be kept distinctly in the consideration of their Lordships, but he confessed, he rose principally in defence of his noble friend (Lord Cornwallis) for whom he professed to entertain the most profound

found respect. He trusted their Lordships would recollect that they were then determining upon the impeachment of Mr. Hastings. Lord Cornwallis was not before them ; and therefore he hoped from the candour of the noble Earl, that he would offer some explanation of his expressions. Whenever a regular charge should be brought against his noble friend, he had no doubt but the noble Marquis would acquit himself of every shadow of imputation in a manner perfectly satisfactory to their Lordships, and highly honourable to himself. His Lordship said, he so fully concurred in sentiments with the noble and learned Lord (Thurlow) that he should have given a silent vote on his motion if he had not been called up by what fell from the noble Earl.

The Earl of CAERNARVON said in reply, that it was far from his intention to throw any reflection upon the character and conduct of the noble Marquis, of whose merits, talents, and virtues, no noble Lord had a higher opinion than himself. He had no doubt but that the noble Marquis would be able to assign very good reasons for having seized the revenues of the Carnatic and Tanjore during the war with Tippoo, in violation of treaties recently made. All he spoke to was the circumstance as it appeared by the papers laid before their Lordships some years ago, but without any explanation from the noble Marquis. He had not a conception of calling upon that great character for that explanation, which, if he was called upon for, he was confident he would be able most fully to give.

The question was then put on Lord Thurlow's motion, and negatived—the *Non-contents* being declared to have it.

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MONDAY,

MONDAY, *March 9.*

The House having resolved itself into a Committee on the impeachment of Warren Hastings, Esq.

Lord THURLOW rose to open the nature of the evidence in the charge, relative to the demand of cavalry from Chèyt Sing, in the month of November 1780.

The charge, he said, stated, that with a farther view to harass, oppress, and ruin Cheyt Sing, Mr. Hastings did, in November 1780, move a resolution, that Cheyt Sing should furnish such cavalry as he could spare; that under colour of such resolution, he first peremptorily and arbitrarily demanded two thousand cavalry, then some lesser number, without offering to pay for them, though the Rajah was not bound to keep up any cavalry, and though he was to be paid for whatever number he kept up.

His Lordship said, that he would endeavour as distinctly as he could, to state the evidence before the Court which applied to this subject: in the first place, it was clear that there was no engagement by which Cheyt Sing was obliged to keep up any cavalry at all, or by which the Company were bound to pay him for any cavalry, which they might at any time require from him. The simple question here was this: Was Cheyt Sing, by the tenure under which he held, bound, in time of war, to furnish to the aid of his Sovereign, such cavalry as could be spared from the immediate wants of his Zemindary? On this point, his Lordship said, he could have no doubt. It was in proof that Sujah Dowlah, while he was his sovereign, had called upon him for a body of cavalry, which he did furnish, and it was absurd to suppose such an *imperium in imperio* to exist, as should preclude a sovereign from calling upon a

subject for troops in times of war and exigency. The next question then would be—Did such an emergency exist in November 1780, as justified the application to Cheyt Sing? Here, his Lordship said, he should again have reason to lament the excessive carelessness with which the agents employed by the House of Commons had drawn the articles, and the little attention they had shewn to the evidence that had a reference to this particular point. By taking all that appeared on the subject in the evidence for the prosecution, and on the defence, their Lordships would see that in September 1780, Mr. Hastings and his council received intelligence of a most alarming nature from Madras. Hyder had entered the Carnatic, had destroyed Colonel Bailie's army, and had driven Sir Hector Munro to the walls of Fort St. George. Sir Edward Hughes had informed Mr. Hastings also, of his having received undoubted intelligence that seven sail of the line, and seven thousand land forces, had left France, and were intended to co-operate with our enemies in India. At this period also, thirty thousand Mahratta horse were encamped on the western frontier of Bengal: an invasion of Bahar by the Mahrattas was also expected. The Nizam professed hostility; Nuzeph Cawn threatened Oude; Madajee Sindia's forces, Corah and Allahabad; and General Goddard was opposed by the power of Poona in Guzzerat. A more formidable league was never formed for the destruction of a single state at any period of time. Their Lordships, by a reference to the evidence, would observe the general dismay which prevailed in Calcutta at this momentous period. It was fortunate indeed that a man at that time presided in the public councils who possessed spirit, judgment, and decision; not that he meant to throw any reflections

upon the gentlemen who differed from him in opinion; the season was so awful, that nothing was more natural than for men to entertain different sentiments, as to the best mode of averting such multiplied dangers. Mr. Hastings proposed various measures: that a very considerable body of troops should be sent to Madras, and a large supply of treasure, and that Sir Eyre Coote should be requested to take the command of an army, naturally dispirited by its heavy losses, on an idea perfectly well founded, as the event so fully proved, that his presence would give spirits to all ranks upon the coast. To all these propositions, except to the motion respecting the Commander in Chief, Mr. Francis and Mr. Wheeler objected; on the ground that Bengal was their first object, that the danger was at their door, and consequently that they could spare no troops, and but half the supply of treasure which Mr. Hastings had proposed to send to Madras. Sir Eyre Coote concurred with Mr. Hastings, and the casting vote of the Governor General preserved India to Great Britain. At a second consultation, on the 27th of September, 1780, Sir Eyre Coote gave in a plan for the defence of Bengal and Oude, which he had drawn out at the desire of the Board. Their Lordships would recollect that a considerable part of the Bengal army was then under orders to proceed to Madras: In the disposition therefore of the remaining force, it was necessary to form encampments where the attacks were most likely to be expected; and as an invasion of the province of Bahar was highly probable, Sir Eyre Coote proposed to station a large body of infantry in that province, together with two regiments of horse, and one thousand, or as many of Cheyt Sing's cavalry as they could procure. This was the origin of the demand of cavalry from Cheyt Sing,

Sing, and their Lordships would determine with what propriety Mr. Hastings could be charged as the sole author of the measure.

Sir Eyre Coote, as appeared by the evidence, embarked for Madras in October, and on the 2d of November, on reading a letter from General Stibbert, relative to the want of cavalry on the northern frontier, the Board ordered an application for a supply, and at the same time Mr. Hastings is requested to write to Cheyt Sing for such cavalry as he can spare. It did not appear by the proceedings that the motion was made by Mr. Hastings. He would put it to the honour of any one of their Lordships, could any man seriously believe, that under such very alarming and awful circumstances, Mr. Hastings could have no other object in view, than to harass, oppress, and ruin Cheyt Sing? The charge itself appeared to him not only groundless, but a charge which, on fuller consideration, could not have been preferred at all.—Having brought the history of the cavalry, with all its concomitant circumstances, down to the period of the demand, he would now, his Lordship said, examine the conduct of Cheyt Sing on the occasion; and their Lordships would determine whether the defence which he made to the accusation of Mr. Hastings was so humble, so submissive, and so satisfactory as a noble and learned Lord had stated it to be; or whether it was, as Mr. Hastings had described it, offensive in style, and unsatisfactory in substance. The demand was sent from Calcutta on the 2d of November. On the 7th of December, Mr. Fowke, the resident, writes to Mr. Hastings, that he had repeatedly pressed the Rajah on the subject of the cavalry, but could obtain no answer. His letter contains other complaints of the Rajah's ill conduct. On the

the 13th of January, 1781, Mr. Fowke writes that the Rajah says, he has but thirteen hundred horse in his service, and that all except two hundred and fifty are absolutely necessary for the service of the collections. Their Lordships were possessed of the completest evidence to prove that both these assertions were false. Mr. Markham had distinctly sworn that he had above two thousand five hundred in his service; and the affidavit of Mahomed Myer, one of Cheyt Sing's commanders, fully confirmed Mr. Markham's evidence. His Lordship observed, that in all its parts the evidence of Mr. Markham was perfectly clear and distinct. Mr. Markham also swore that a very small body of cavalry, one hundred, were amply sufficient for the service of the collections. Cheyt Sing asserts in his letter that Mr. Hastings made no reply to the information which he had sent him of the number of his cavalry. This assertion also was false; for Mr. Markham, who arrived at Benares the 1st of February, and consequently must have left Calcutta immediately after Mr. Hastings had received the Rajah's letters, carried an order for him to supply fifteen hundred horse. Your Lordships, by referring to the evidence (said Lord Thurlow,) will see, that he afterwards reduced the demand to one thousand. You will see that, in point of fact, he never could procure a single horseman. It will be impossible to read the evidence of Mr. Markham, without observing that he pressed him with the anxiety and solicitude of a friend, even to make a shew of obedience by mustering five hundred horse, but that he never could get him to muster a single horseman: Mr. Markham told him, that by his disobedience he would certainly incur the highest displeasure of government: and upon one remarkable occasion, when he was sitting in a minaret at

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Ramnagur with Cheyt Sing, he told him, on seeing a body of horse on the plains, "If you will but send me those men, it will shew your desire to obey your orders. My Lords, Mr. Markham could not procure a single horseman from him." His Lordship then proceeded to remark upon the letter of Mr. Hastings, and Cheyt Sing's reply to it.

Mr. Hastings says, in his letter to Cheyt Sing, that in the name of the Governor General and Council he required the Rajah to furnish a body of horse to assist and act with the armies of the Company; that when Mr. Markham succeeded Mr. Fowke, he ordered him to repeat the demand, which he did with frequent, and almost daily importunity; limiting the demand to fifteen hundred, afterwards to one thousand. To this demand (he adds) "you returned evasive answers, nor to this hour have you contributed a single horseman."

The Rajah in reply says, that when required to send a supply of horse, he sent Mr. Hastings a particular account of all in his service, amounting to one thousand three hundred, but received no answer. Mr. Markham delivered him an order for one thousand. He collected five hundred, and five hundred burkendasses, and told Mr. Markham they were ready to go wherever ordered. "No answer came from you (says Cheyt Sing,) and I remained astonished at the cause of it. Repeatedly I asked Mr. Markham about an answer to my letter relative to the horse; he told me he did not know the reasons why no answer had been sent. I remained astonished."

Lord Thurlow commented upon every part of this answer, which he affirmed to be impudently false, and that the means of detection were

were at hand. Mr. Hastings well knew that it was totally false. Mr. Markham contradicted it in every particular as he had already explained. His Lordship said, that as the demand of cavalry, as well as every other measure taken by Mr. Hastings towards Cheyt Sing from the date of 1778, was stated broadly to be taken in order to ruin him, he would call to the recollection of their Lordships the very particular advice and orders given to Mr. Markham on his leaving Calcutta to proceed to Benares in January 1781. He was desired to behave to Cheyt Sing on all occasions with kindness, mildness, and civility; and to avoid the conduct of his predecessor, Mr. Graham, who Mr. Hastings thought had behaved harshly and rudely on some occasions to Cheyt Sing. Lord Thurlow desired they would bear this circumstance in mind, when they considered the very strong and pointed facts stated by Mr. Graham against Cheyt Sing, and they would subtract as much as they pleased from the weight of that gentleman's testimony, in consequence of the idea Mr. Hastings entertained of his being a prejudiced man. But no such objection could be made to Mr. Markham's evidence. He appears, on all occasions, to have followed the advice of Mr. Hastings, to have treated the Rajah as a friend, and to have exerted himself all in his power to save him from that ruin which his folly and disaffection brought upon him. " He will not allow me to be
 " his friend (says Mr. Markham in a letter to Mr. Hastings.) He is
 " surrounded by bad advisers, who tell him of a French invasion,
 " of the Mahrattas entering our provinces, and that he should not
 " send us the cavalry, until he sees what turn our affairs will
 " take."—Look, my Lords (said Lord Thurlow,) at the situation of Bengal at that moment. Prior to the agreement which
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secured the return of the Mahratta army from Cuttack, every thing hostile was to be expected. If Mr. Hastings had not purchased the retreat of that army for money in April, 1781, it would undoubtedly have entered Bengal as an enemy in May. In that event, it is equally clear that Bimbajee Boosla would have entered Bahar, at the head of a numerous army of horse. While matters remained in this uncertainty it was that Cheyt Sing acted in the manner already mentioned: and afterwards, on hearing from Calcutta that he was likely to be severely punished, he made an offer of twenty lacks, and then of twenty-two and a half lacks, to buy off both the demand of cavalry, and the war subsidy. But on receiving subsequent intelligence from Calcutta, he broke off the negotiation altogether; and that which Mr. Anderfon calls an indirect offer, the charge affirms to have been an offer which Mr. Hastings refused to accept.

Having argued this point most fully, and appealed to the evidence given on both sides in support of his arguments, his Lordship concluded by moving, “ That the Commons had made good the “ first article in so far as it respected the demand of cavalry from “ Cheyt Sing.”

The Earl of CAERNARVON contended, that the demand had been made with a view to its not being complied with, in order to lay the ground for the subsequent proceedings at the time projected and determined on by Mr. Hastings. In support of this the Earl said, it was clear to his mind that Mr. Hastings had projected all the measures that he afterwards put in practice against Cheyt Sing long before he demanded any cavalry, and that the manner in which the demand was entered in the minute of consultation, viz. “ for

“ such part of the cavalry entertained in his services as he can spare,” implied either that the Governor General was conscious that he had no right to expect obedience from the Rajah in this particular, or that he did not expect that the demand either could or would be complied with. The words of the minute, “ Such part of the cavalry entertained in his service as he can spare,” implied and admitted exercise of discretion in Cheyt Sing as to the number that he could furnish; and if he thought he could not spare any, he neither acted contumaciously, nor ought in candour to have been considered as having deserved punishment. If the Governor General had a right to expect obedience respecting the cavalry, why did he not make his demand in a direct, absolute, and peremptory manner, instead of stating it in terms so insidious and deceitful? His Lordship enforced this by much argument, and differed entirely from the noble and learned Lord in his inferences and deductions on the subject.

The LORD CHANCELLOR said, he was not a little surprised to find the noble and learned Lord select from the article respecting Benares, a few points not even stated as a substantive charge, but alledged merely as facts of a secondary nature, and introduced as corroborating circumstances, to shew the colour and complexion of every part of the system of conduct pursued by Mr. Hastings, respecting the Rajah Cheyt Sing. His Lordship replied to several of the arguments of the noble and learned Lord who spoke first, particularly explaining the cause of the minute of the Council of the 2d of November, 1780, by stating that it originated with Sir Eyre Coote's prior recommendation, and that its having been adopted on that day arose from a consciousness of its being an advisable measure.

sure. After stating various parts of the evidence, his Lordship said, he could not help viewing the transaction in all its circumstances in a different light, and that he consequently drew very different conclusions from those stated by the noble and learned Lord.

The Lord Chancellor added, that he must take Mr. Hastings's account of his own actions in preference to any other evidence whatever. He had distinctly stated in his defence before the House of Commons, that he moved the resolution for calling upon the Rajah for cavalry, and therefore such must be taken to be the fact. Before he sat down, he repeated that he did not conceive the noble and learned Lord would have stated the facts mentioned relative to the cavalry as a substantive charge.

Lord THURLOW, in reply, said, that it had been agreed to take each criminal accusation on which a difference of opinion existed, separately. The clause relative to the cavalry was expressly stated to contain criminal matter. Mr. Hastings was accused of making a demand which he had no right to make, and to make it from malicious and revengeful motives, with a farther view of harassing, oppressing, and ruining Cheyt Sing. What was the ground of the whole charge? Malice. From malicious motives the demand of military aid is stated to have been made in 1778, 1779, and 1780. From the same malice was the demand of the cavalry also stated to be made: in the view of the prosecutors therefore, it was one of the most material parts of the whole charge. He professed himself much obliged to the noble and learned Lord, for having set him right in one point, and he would be equally obliged to any noble Lord who would at any time correct his errors. Their Lordships, he was sure,

would give him credit for meaning to lay before them, with the strictest impartiality; all the evidence that bore on every point either for, or against the defendant. In the case alluded to by the learned Lord, trusting to the proceedings of the council on the 2d of November, 1780, he had said, that the vote to call upon Cheyt Sing for cavalry did not appear to be passed on the motion of any particular member. It was agreed now, that the idea originated with Sir Eyre Coote. That was a point fully established by the evidence, and consequently the charge set out completely wrong. But on looking at the defence of Mr. Hastings, he found that gentleman said, “ I moved in council that Cheyt Sing “ be required to furnish such cavalry as he can spare; and this “ was done by the advice and recommendation of Sir Eyre Coote.” His Lordship added, that he thought himself bound to inform the court why this particular expression had slipped his memory. The fact was, that he had paid very little attention indeed to the defence delivered by Mr. Hastings at the bar of the House of Commons to this article. He knew it to be a rule of law, that a man was to be bound by his own defence, and that any thing contained in it might be taken against himself. Their Lordships, however, had full evidence before them, that not a line of the defence on the Benares charge was written by Mr. Hastings; and all the objectionable parts of it which had been relied upon in order to shew malice, were actually inserted after Mr. Hastings had heard the other parts read once cursorily over. To a defence presented, not in reply to the Benares article now before their Lordships, but to a charge on which the article was founded, he should not pay
much

much attention, and particularly where the facts stated in it were fully disproved.

The circumstances under which Mr. Hastings delivered his defence to the immense volumes of charges brought before the Commons, had been fully explained. He took to himself to answer what he conceived to be the most important part of the charges, and the defence of the Benares charge was entrusted to Mr. Halhed, a gentleman of splendid abilities, and great information, but of too high a genius to attend minutely to the strict accuracy of his facts, and certainly better calculated to explain a prophecy, if Mr. Hastings had wanted him for such a purpose, than for a laborious investigation of the Company's records. The manner in which Mr. Hastings's defence had been written—the reasons which induced that gentleman to confide in others the composition of parts of that defence, while he answered what he conceived the most material parts himself, had been so fully explained to their Lordships, that he believed, they would not lay any stress on particular expressions which were not an answer to the articles now before their Lordships, but to charges preferred by an individual member to the last House of Commons.

The LORD CHANCELLOR, in reply to what Lord Thurlow had said of the amount of Cheyt Sing's cavalry, declared, that he could pay no attention to the affidavit of Mahomed Myer; and considering the circumstances under which they were taken, he did not think them entitled to credit.

Lord THURLOW insisted, that the affidavits were evidence, adduced not by the defendant, but by the prosecutors, who had not in any one instance endeavoured to destroy their credit; consequently,

frequently, under every rule of law they must be received as full and complete evidence, as far as they went.

On the question being put, it was declared that the *Not-contents* had it, and this part of the charge was consequently negatived.

The next part Lord Thurlow spoke to was, the charge of a conspiracy entered into by Mr. Hastings with the Vizier, for the sale of Cheyt Sing's districts. This, his Lordship said, he need not dwell upon, as it rested solely on the evidence afforded by the letter of Mr. Anderson. After a few words, therefore, on that letter, his Lordship moved a question in the usual form, on the subject of that part of the first article; when, on putting it to vote, the chairman declared that the *Not-contents* had it *nemine dissente.*

Lord Thurlow then rose to move a question on the next part of the charge, which was, that in farther prosecution of his malicious intentions, and with a view to harass, oppress, and ruin Cheyt Sing, Mr. Hastings, in January, 1781, accused him of being in arrear in the payment of his kist, and particularly that part of it which was appropriated to the payment of Saadut Ally's pension: that the charge was false, as he had paid up his kists with the utmost regularity; that it was made in peremptory and insulting language, and with a view to drive the Rajah to some act of desperation. His Lordship expressed his sincere concern, that a charge so worded, without a shadow of evidence to support it, but with the fullest evidence to disprove it, should have been made in the name of the House of Commons. He again desired to be understood to impute no blame to them; they were not responsible for the infinite number of allegations that were to be found, in
proof

proof of which nothing had been offered; but he was astonished at the carelessness and want of attention of their agents. Even in justice to them, however, he would say, that if they had seen one document, which had since been produced in evidence, the charge could not have been preferred. The facts, as they now appeared in the evidence, were these:—Cheyt Sing was bound by his agreement to pay his kiets month by month, either at Benares, in cash, or by bills on Calcutta. If paid in cash at Benares, they were to be paid the day they were due; if by bills on Calcutta, those bills were to be made payable fifty-one days after each kielt became due. So early as March, 1776, complaints were made of his unpunctuality, and then, on a promise to Mr. Fowke, the resident, that he would be more punctual in future, Mr. Fowke says, he has ventured to tell him that he shall not be *finet* for his past unpunctuality.

These complaints were renewed at different periods: but on the 17th of December, 1780, Mr. Fowke writes expressly to Mr. Hastings, that the Rajah had of late been very dilatory in the payment of his kiets, and particularly that part of it which was appropriated to the payment of Saadut Ally's stipend. It appears then from this evidence, that not a doubt can remain of the perfect propriety of Mr. Hastings's conduct, in writing the letter which he did to Cheyt Sing, in consequence of a complaint from the public resident, Mr. Fowke.

But if the defendant had not brought forward all this evidence, his Lordship contended, that the case, as it stood for the prosecution, proved the unpunctuality of Cheyt Sing, and consequently would have justified Mr. Hastings.

Their

Their first document was an account or journal from the India House, transmitted from Bengal in April, 1782, which proved that all the kists for 1780, and to May, 1781, were paid; but when they were paid did not appear. The conclusion drawn by the Managers was, that they were paid month by month—a conclusion which they themselves overturned in the next page, where they produce two letters from Mr. Fowke, the first dated Benares, the 7th of December, 1780, acknowledging the receipt of bills for the kist due *on the 4th of November*. The second, dated the 13th of January, 1781, in which he acknowledges the receipt in cash at Benares, of the kist due *on the 4th of December*; consequently the Managers themselves prove, that in one instance there was a delay of one month and three days; in another, of one month and nine days.

The Managers observed to their Lordships, that they would prove by *oral testimony* afterwards, that it was the custom of the country to pay one month under another. Had they so done, said Lord Thurlow, then they would have made out their charge; but to do so was *impossible*. All the written evidence proved, and Mr. Markham by his oral testimony confirmed it, that Cheyt Sing was bound by his agreement to pay each month's kist as it became due. He paid his kists punctually, said Mr. Markham, when on the days they became due he gave the amount in cash to the resident, or bills on Calcutta, payable fifty-one days after date. He would not detain their Lordships longer with remarks on so groundless a charge—a charge that ought not to have been made at all, and which had been disproved even by the Managers themselves. His Lordship then moved, “ That the Commons had made good the
“ first

“ first article, as it related to Cheyt Sing’s unpunctuality in the
 “ payment of his kists in the year 1780.” .

The LORD CHANCELLOR said, that however noble Lords might differ on other parts of the charge, they must be clear that this was fully made out. Whether the terms in which the charge was couched were correct, he would not say, but it was clear that Mr. Hastings had accused Cheyt Sing of unpunctuality without any just cause; since, in fact, he paid within the period prescribed to him. He was allowed fifty-one days grace, and he paid for December 1780, and January 1781, in thirty-three and forty days after the kists became due.

Lord THURLOW said, he was really astonished at the mistake which the noble and learned Lord had committed: he was afraid he was misled by the syllabus then before him. But if he would look at the evidence, he would see that the unpunctuality of Cheyt Sing was completely proved. He was not allowed fifty-one days grace as the learned Lord supposed. He was to pay his kists when due, but he had the option of paying in cash at Benares, or by bills on Calcutta, at fifty-one days date. He would not go over the ground again; but though Cheyt Sing was unpunctual, Mr. Hastings had been silent, until the complaint of the public resident induced him to write to the Rajah.

The Lords called for the question, which was immediately put and negatived.

TUESDAY, *March 10.*

Their Lordships having gone into a Committee on the articles of the impeachment,

Lord THURLOW rose, and called the consideration of the Committee to that clause of the first article, which contained the charge of having illegally delegated the powers of the Governor and Council to himself when Mr. Hastings went to Benares, and there ordered the arrest of Cheyt Sing. His Lordship went over the arguments advanced on this charge by the Managers of the House of Commons, and the evidence adduced in support of it, and contended, that the full and sufficient answer to each would be found in the history of the government of the Company's possessions in India, ever since they held any sort of sovereignty in that country. His Lordship stated the several precedents to be met with in that history, that proved the practice to have been no novelty whatever, but on the contrary, that it had been resorted to on various occasions, where the person entrusted with the highest office in the civil and military department had left Calcutta, and gone into the interior or distant parts of the Company's settlements or dependencies for purposes of state policy or necessity. The precedents he cited were those of 1763 and 1765, when Mr. Vansittart and Lord Clive held the first office in the Company's service, and the recent instance of Lord Cornwallis in the course of the late war with Tippoo Saib. His Lordship just used a cursory argument on the obvious necessity and advantage of a Governor General having a right to delegate and assume to himself the powers of government, on great and emergent occasions, and said, he deemed the precedents he had quoted amounted to an ample justification of the conduct of Mr. Hastings,

Hastings, in delegating the powers of the Governor General and Council, and vesting them in his own person, when he went to Benares. He therefore moved, " That the Commons had made
 " good that clause of the article which contained the charge against
 " Mr. Hastings of having illegally delegated the powers of the
 " Governor General and Council, when he went to Benares."

On the question being put, the *Not-contents* had it.

Lord Thurlow next proceeded to what passed on Mr. Hastings's arrival at Benares, his arrest of Cheyt Sing, and all the consequences that followed; the part of the article containing which, as set forth by the Commons, he admitted to be a grave, serious, and weighty charge; it was the last and the most material link in the whole chain. Malice was the principal ingredient in the whole charge, which hitherto their Lordships had negatived. In order to understand it clearly, and to ascertain how far it was criminal on the part of Mr. Hastings, it would be necessary, his Lordship said, to examine all the facts and circumstances, and to consider the motives that led to each, and the effects they severally produced, calmly and impartially. But previous to his entering into a consideration of this important part of the subject, there were certain observations which he should trouble their Lordships with, and they appeared to be so very material, as, in his opinion, to require their serious consideration. Their Lordships all recollected, that at the close of the year 1783, a bill was brought into Parliament by Mr. Fox, whose name the bill bore; which had for its object the assumption of the power of the East India Company, by commissioners to be appointed by Parliament. That bill was ultimately rejected, and the succeeding administration brought in another bill,

which left the management of their affairs in the hands of the East India Company, subject to the active controul of a Board, to whose situation responsibility was annexed. However different these bills might have been in various particulars, yet in *one* they both nearly *concurred*. It was assumed as a fact in the first bill, that great oppressions had been practised in India upon Rajahs, Zemindars, Polygars, &c. It did happen, and rather unfortunately, that *the fact of the existence of those oppressions* was supposed to be *so clear*, as to supercede the necessity of proof, and accordingly, a clause which was originally inserted in Mr. Fox's bill, was afterwards copied, though modified in some degree, into the bill of Mr. Pitt, and of course became a law. The clause to which he alluded was the 29th of the India-Regulating act of 1784, commonly known by the name of Mr. Pitt's India bill. That clause, after affirming that complaints *have prevailed* that divers Rajahs, Zemindars, Polygars, Talookdars, &c. within the British territories in India, have been unjustly deprived of, or compelled to abandon and relinquish their several lands, &c. &c. enacts, that the principles of justice, and the honour of this country, require that such complaints should be forthwith inquired into, and fully investigated, and if founded in truth, effectually redressed. His Lordship observed, that this clause appeared to him precisely to meet, and to be intended to meet, the case of Cheyt Sing. Indeed he knew no other person under the Bengal government to whom it could apply. Let their Lordships consider for a moment how they stood. Not only was the law *positive* as to an *immediate investigation* of the justice of this person's expulsion, (and of course he must presume the case had been fully inquired into by those who were bound by the law to make the inquiry) but the state of India had

had been annually laid before the House of Commons for the last eight years ; and a particular account was presented and printed of the various resources of the several governments in India. Under the head of Bengal Resources, which amounted in the whole, to five millions and a half sterling, one of the articles was *Benares revenue*, four hundred and thirty thousand pounds ; that very revenue which the Commons have declared it criminal in Mr. Hastings to *create*, has been publicly received, and treated as a never-failing annual resource, as indeed it has hitherto turned out. If then, said Lord Thurlow, the same body which has impeached Mr. Hastings for this act of creating the revenue, has continued for twelve years to receive it ; if the law positively enjoining the Company and the King's Ministers to restore Cheyt Sing, if he were unjustly dispossessed, has been obeyed, as no doubt it had been, must it not appear most singular and extraordinary to their Lordships, that this charge was preferred, and insisted upon to the last ? The only use which he wished their Lordships to make of the preceding remarks was, that it might induce them carefully to look at the nature of the accusation, and compare it with the proofs. Having troubled their Lordships so much on the preceding day on the subject of that part of the letter of Mr. Hastings to Cheyt Sing, and his answer relative to the cavalry ; having proved, by a reference to the evidence, not only that the letter itself was impudently false, but that Cheyt Sing must have been convinced that Mr. Hastings knew it to be false, he should now proceed to the other parts of that letter, which a noble and learned Lord had declared not only to be humble and submissive, but to contain also a full and satisfactory reply to the charges of Mr. Hastings.

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His Lordship then proceeded to the first article of accusation in the clause, which was, that when Mr. Hastings arrived at Benares, he wrote a letter to Cheyt Sing, containing charges which were false, malicious, and wicked; and that Cheyt Sing's answer to those charges was a complete justification of his conduct. His Lordship said, he should next consider the remaining charges and the Rajah's replies. Mr. Hastings tells him, that after having solemnly promised to pay the war subsidy of 1780, he had disappointed him, and that the disappointment was attended with very unhappy consequences, and might eventually have occasioned the total loss of Colonel Camac's detachment. That the disappointment was attended with very serious consequences, has been fully established by the evidence before their Lordships' court. To this charge the Rajah replies, that he obeyed the orders *with the utmost alacrity*—that he first paid one lack—then one lack and seventy thousand rupees—then wrote to require the time, and receiving no answer, as it was no time for delay, he completed the payment of the remainder at certain dates, which he specified. Lord Thurlow said, that a reference to the evidence would convince their Lordships that this answer also was false in all its parts, and Cheyt Sing could not be ignorant that Mr. Hastings knew it to be false. As soon as he had paid one lack, which he did not do until the 5th of August, 1780, though the demand was made in the latter end of June, he peremptorily refused to pay the resident any farther sum, until he got an answer to a letter he had written to Mr. Hastings, requiring farther time to dispose of his effects. To this representation the Rajah said, he received no answer; though a reply was immediately sent, strongly expressive of the Board's displeasure at his excuses, which, they said,

said, they knew to be futile. What was the excuse? That Cheyt Sing had disposed of all his property, and wanted *time* to raise the required sum—an excuse which their Lordships also knew to be futile. This displeasure of the Board had not the effect of procuring the payment, which was not finally made until the 18th of October, 1780, although the Rajah does not deny that he promised immediate payment in the month of July. It was clear, therefore, from the evidence, that to the two charges preferred by Mr. Hastings, the answers were of that nature as well to deserve the description given of them: that they were unsatisfactory in substance, the evidence fully proves.

In the close of his letter, Mr. Hastings mentions the disordered state of the police throughout the Zemindary. Cheyt Sing assures him in reply, that he paid the utmost attention to that important object. Their Lordships had a great mass of evidence before them, which proved the falshood of this reply also. The defective state of the police had been a subject of very general complaint for years, and in no one instance did it appear that redress was afforded by Cheyt Sing. As to the style of the letter; the humble expressions it contained; the avowal that he was the slave of Mr. Hastings; it amounted to just as much as an Englishman signing himself the most obedient and faithful servant of a man, whom his letter offended, and was meant to offend, in every other line of it. It was not possible that Mr. Hastings, so many years resident in India, so well acquainted with the forms of correspondence, should have remarked on the offensive style of the letter in his address to the Board, unless the remark was well founded. As to its being palpably

pably and grossly false in every particular, Lord Thurlow had no hesitation in saying that it was fully proved to be so by the evidence before their Lordships.

The next allegation was, that Mr. Hastings put the Rajah under an arrest, as it is said, in another clause, for the purpose of extorting a fine of forty or fifty lacks of rupees from him. He would not advert to the circumstance of the intention never having been communicated to the Rajah ; but as this was stated to be the real and weighty accusation of the charge, he would examine it fairly and distinctly with the evidence.

First then, it was perfectly clear, from declarations anxiously made by Mr. Hastings himself, that when he left Calcutta in July, 1781, he intended to levy a fine of forty or fifty lacks of rupees from the Rajah. Lest the world should doubt his having really formed such an intention so early, he called upon Mr. Wheeler, Mr. Anderson, and Major Palmer, to prove the communications which he made to them upon this subject before he left Calcutta. On his arrival at Boglepore, Mr. Markham met him, and he communicated his intention to him also. Mr. Markham observed, that it was a very large sum, and that he believed the Rajah's revenues had been over-rated at Calcutta. To this remark Mr. Hastings replied, " We will talk farther on this subject at Benares," meaning most obviously, and as Mr. Markham says he understood him to mean, that if the Rajah's wealth and his revenues were less than Mr. Hastings had supposed them to be, he would take a smaller sum. Considering the wealth, which, as it was afterwards proved, the Rajah did possess, and the nature of his offences, Lord Thurlow said, he had no hesitation in giving it as his opinion, that Mr. Hastings had not exceeded the bounds of mode-

ration and justice, in fixing the amount of the fine at forty or fifty lacs. By so doing, he would have punished a man notoriously disaffected; he would have deprived him of part of the means of resisting the authority of the sovereign state in future, and he would very materially have relieved the exigencies of the Company, which were at that time in the highest degree alarming. But if there were noble Lords who thought the fine beyond the offence, still, his Lordship said, unless some sinister motives were imputed to Mr. Hastings as the ground of his proceedings, he could not conceive how it would be possible to impute criminality to him. As for himself, Lord Thurlow said, he was decidedly of opinion, from the evidence, that Mr. Hastings would have been justified in depriving Cheyt Sing of his zemindary altogether. If there was any noble Lord who believed, that in all, or any of the preceding measures Mr. Hastings was actuated by malice, or by any other than public motives, then Mr. Hastings was guilty of a crime of a very high nature indeed.

Having considered the circumstance of the arrest as connected with the intention of levying a fine (and in this, as in every other country, fines are a branch of public revenue) he would now proceed to the charge, which stated, that the arrest disgraced Cheyt Sing in the eyes of his subjects. There was full evidence to prove that it could have had no such effect—It was next asserted in the charge, that the act disgraced the English in the eyes of all Hindostan; it was fully proved in evidence, that no such disgrace attached to them from this act; that the Rajah wrote letters of despondency and alarm, and that Mr. Hastings took little notice of them; it is in proof that he wrote to the Rajah, to set his mind at rest, and

to be under no alarm or uneasiness. It was next stated, that a *sudden fray* rose in consequence of the outrages offered to the Rajah, and that the guard was destroyed by the fury of the populace. Lord Thurlow said, that it appeared manifestly clear from the evidence of Colonel Popham, Lieutenant Birrel, Mr. Markham, and a variety of affidavits, that the populace were entirely unconcerned on the occasion. He would state it the more particularly, because a noble and learned Lord (Loughborough) had, on a former day, called the business a sudden affray, suddenly provoked by the insolence of a chubdar, called Cheyt Ram. The circumstances were these, as appeared by all the evidence: after Mr. Markham had put Cheyt Sing under an arrest, the orders which he left with the commanding officer of the party were unfortunately disregarded, and several persons who had commanded bodies of troops which accompanied Cheyt Sing to Buxar were admitted to his presence. The officer early saw the dangerous consequence of his imprudence, and discovered at the same time that the two companies of sepoys which he commanded had no ammunition. Intelligence was sent of this neglect to Colonel Popham, and at the same time considerable bodies of men were observed crossing the river in boats from Ramnagur to She-wallah. With the company, therefore, that went with a supply of ammunition, a message was sent from Mr. Hastings, which, Mr. Markham says, they were obliged to make a verbal message, because the durbar was broke up, and there was no moonshee to write a letter. The purport of this message was, that if a life were lost, Cheyt Sing should answer it. Cheyt Ram, who was instructed to deliver this message, was an old man, near seventy years of age, who had always been employed both by Mr. Markham

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ham and his predecessor, in delivering messages to Cheyt Sing, in the same manner as a man of similar degree was employed in carrying messages from Cheyt Sing to Mr. Markham. Noble Lords would observe, that the message was couched in terms of menace—and necessarily so couched, for it was intended by that message not to provoke the tumult, but, if possible, to prevent it, by exciting Cheyt Sing's apprehensions for his own fate. This man accompanied the party that Lieutenant Birrel commanded, and being known, was permitted to pass on to the presence of the Rajah, where he delivered his message, as some affidavits say, passionately and violently ; and it was very natural for the men who had made those affidavits to conceive so, even though the chubdar had merely delivered the message precisely as it was given to him. But whether he delivered it as the affidavits state it ; whether, as Mr. Markham thinks, he did not step beyond the commission that was entrusted to him, it is proved, beyond all possibility of doubt, unless the Court conceive all the witnesses to have been perjured, that the attack began from the Rajah's troops *without*, before Cheyt Ram had delivered the message *within*. Lieutenant Birrell distinctly swears, that after his company appeared in front of She-wallah, they were instantly fired upon, and several were killed and wounded by the first discharge. This was the signal for the slaughter within. The just conclusion, then, from all the evidence was this, that as soon as Mr. Markham had quitted the Rajah, and his several commanders were imprudently admitted to his presence, measures were taken for his rescue. Four thousand regular forces were collected in a short time, and the rescue was effected. His Lordship desired noble Lords would attend to the next step taken

by Cheyt Sing, Messengers were sent to Fyzabad, as appeared by Mr. Markham's evidence, to communicate what had happened to the Begum; this was on the 16th, and by the 21st of August, large bodies of troops were in motion on the road from Fyzabad, a circumstance which, among many others, proved a previous concert between Cheyt Sing and the Begum.

It was clear, therefore, Lord Thurlow said, that the rescue was not occasioned by the message delivered by Cheyt Ram; that it was not the consequence of a sudden affray; that the populace were ignorant of all that was passing, since it is proved that no one inhabitant of Benares was a party to the affair. The next question to consider was, whether the arrest was in itself so disgraceful, as to drive the Rajah to resistance, rather than to submit to such an indignity? Here, his Lordship said, they had the evidence of every gentleman examined, to prove that it was no more an indignity to him, than it would be to any other person. It was in proof that arrests were common throughout the country, and the only mode of proceeding. In 1772, Mahomed Reza Cawn, the Naib Subah of Bengal, was arrested, and brought down a prisoner to Calcutta, by orders from the Court of Directors. In 1789, the Rajah of Burdwan, a man infinitely higher in rank than Cheyt Sing, was fined five thousand rupees by Lord Cornwallis, for not immediately obeying orders relative to the transmission of some revenue papers to Calcutta; and on a delay of payment, he was ordered to be arrested, and if he did not pay the money in twenty-four hours after his arrest, to be sent a prisoner to Calcutta. It was clear, therefore, that unless Cheyt Sing had conceived himself ripe for resistance, he would have submitted to the arrest, and by that means

have prevented all the consequences which he personally suffered by his disobedience. As to the remaining part of this allegation, Lord Thurlow said, he should not go particularly into it, until he heard the sentiments of other noble Lords. Mr. Hastings was charged with criminality, for refusing, after the Rajah was in open rebellion, to listen to his proposals of accommodation. He presumed, until he heard the contrary, that no noble Lord would think Mr. Hastings could have listened to overtures, which all the testimony plainly evinced were made with an intent to lull him into temporary security. To treat with Cheyt Sing, appeared to his Lordship to be impossible, and that was the general opinion. Mr. Hastings had wisely corrected, in the new arrangements, the mistakes of the former. He raised the Company's rent to forty lacks of rupees—a sum which the country could well afford to pay, because it had paid it from the year 1782 to this day. He would not allow the new Rajah to retain forts nor a military force, and what Mr. Hastings left imperfect, Lord Cornwallis very wisely made completely perfect, by placing the Rajah on the footing of every Bengal zemindar, and committing the entire government of the country to the English resident.

His Lordship said, that in the settlement made with Cheyt Sing in 1775, there appeared to him to be a radical defect. The Rajah was placed so near to independence, that the moment he conceived it to be within his grasp, he naturally attempted to attain it. On reading the minutes of that day, Mr. Barwell appeared to him to see the matter in its true point of view: he would either have made the Rajah completely independent, or have placed him entirely under the control of the British government.

His

His Lordship said, he was not aware that he had omitted to state any material point ; but he trusted in their Lordships' indulgence for permission to intrude upon them again, if necessary ; and would now content himself with moving, " That the Commons " had made good the first article, in as far as it related to Mr. " Hastings's preferring false and malicious charges against Cheyt " Sing, and arresting his person."

The Earl of CAERNARVON said, that if he had formed an erroneous judgment, he anxiously wished to change his opinion ; but nothing that he had yet heard had induced him to alter it ; nor had any of the many observations which the noble and learned Lord had made, taken off the impression which the facts stated in the charge had made on his mind. It had not been proved, to his conviction at least, that the delegation of the powers of the Governor-General and Council to himself, alledged in the former part of the charge, was legal ; or, admitting for a moment that it was a legal delegation, it had not been proved that the delegation had been made for any such use and purpose as the defendant made of it, by arresting Cheyt Sing, and treating him with all the indignity and rigour that he had compelled him to endure. The noble and learned Lord had stated various precedents of delegation of the powers of the chief in office in India and his Council, to that chief ; but he utterly denied that there was the smallest analogy in any one of those precedents to the case in question. In the cases cited by the noble Lord of the delegation of the powers of the British government in India to the chief in office, they were every one of them delegations of power for the express purpose of enabling the chief to perform a single, stated, and important act, with a view to the attainment

attainment of some one great and specific object. Taking it for granted, therefore, that the delegation of the powers to Mr. Hastings was legally made, let their Lordships look to the minute of the Board, entered on the consultations, to see for what express purpose it had been made. The minute stated, that the Governor General was invested with “ full power and authority to form such
 “ arrangements with the Rajah of Benares, for the better govern-
 “ ment and management of his zemindary, and to perform such
 “ acts for the improvement of the interest which the Company
 “ possesses in it, as he shall think fit and consonant to the mu-
 “ tual engagements subsisting between the Company and the Ra-
 “ jah.”

His Lordship reasoned pointedly upon the terms of expression, and on the reasonable inference resulting from the whole of the minute. The word “ arrangements,” he contended, plainly implied that the Governor was to arrange such acts as he should think consonant to the mutual engagements subsisting between the Company and the Rajah, in an amicable way, and not to deal with him in the harsh and hostile manner which Mr. Hastings had taken upon himself to adopt. Having discussed this very fully, the Earl said, with regard to the other facts alledged as crimes and misdemeanors, whatever inconsistency there might be in the Commons having preferred the charge, while they enjoyed the benefits arising from the acts of Mr. Hastings, he was not now to consider. An accusation stated to be criminal was preferred by a body competent to prefer it; and it was his duty, as a judge, to consider whether the charge was proved or not, and to consider that only. He still thought that Mr. Hastings was actuated by motives of revenge in writing the
 letter

letter that he did write to Cheyt Sing, and also in putting him under an arrest. He again referred to the defence of Mr. Hastings, where that gentleman said, that while he thought Cheyt Sing had him and not the Company for his object, a fine of forty or fifty lacs would, he conceived, be a sufficient punishment for his offence. He entered into a long argument, as to the legality of the delegation, and said, that at all events Mr. Hastings was not empowered by that delegation to arrest the person of Cheyt Sing, for the purpose of exacting from him a fine of forty or fifty lacs ; and again declared, that, in his opinion, Mr. Hastings had been induced to make that exaction from motives of private revenge and resentment.

Lord THURLOW rose and said, that, after having so fully explained to their Lordships that the passage quoted by the noble Lord was neither written by Mr. Hastings, nor even seen by him, until he heard it read in the House of Commons, he did not expect that any stress would be laid upon it. He wished, however, as the noble Lord did profess to quote it, he would quote it as it really stood. The passage did not run as the noble Lord had stated, but in the following words :—“ So long as I conceived Cheyt Sing’s
 “ misconduct and contumacy to have me rather than the Company
 “ for its object, or, at least, to be merely the effect of pernicious
 “ advice, or misguided folly, without any formal design of openly
 “ resisting our authority, or disclaiming our sovereignty, I looked
 “ upon a considerable fine as sufficient both for his immediate
 “ punishment, and for binding him to future good behaviour.”
 Lord Thurlow said, he was sure that the noble Lord would have
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the candour and the justice to say, that this passage was very different indeed from his Lordship's statement of it. .

The Earl of CAERNARVON admitted, that there was a difference, which, in the hurry of speaking, he had certainly omitted to state.

The Earl of MANSFIELD said, he wished that the present question had been divided into two subjects of discussion, to avoid the dilemma of determining on the guilt or innocence of a person who had obtained great advantages, which the public had appropriated to itself, while they prosecuted the person for the act of procuring those advantages for them. In almost every point, he agreed most completely with the noble and learned Lord who, with so much ability, and so much to his own honour, had fully investigated the present charge. On a single point he had a doubt, though he confessed it was but a doubt; yet, standing as he did in the awful, and he would add, to him, the tremendous character of a judge, he deemed it his duty to state his feelings to their Lordships, and in as few words, considering the lateness of the hour, as he possibly could. He fully concurred with the noble and learned Lord in opinion, that the right of the British government to demand military aid of Cheyt Sing, in war, was proved beyond a possibility of question. Indeed he was astonished that men of such talents as those who managed the impeachment, could have entertained a doubt upon the subject. He was equally convinced, that there was not the slightest reason to doubt the right of the British government to demand the assistance of a body of cavalry from Cheyt Sing; and there was not any thing like a suspicion that could arise, he conceived, in the mind of any man, that

in making and enforcing these demands, Mr. Hastings was actuated by malicious motives. Equally convinced was he, that the conduct of Cheyt Sing was highly contumacious and refractory, and that it deserved punishment. God forbid! said his Lordship, that I should lay the slightest stress upon any expressions in a defence, which, it is fully proved, Mr. Hastings never wrote, and the objectionable parts of which he never saw; however imprudent I may conceive Mr. Hastings to have been in presenting such a defence at the bar of the House of Commons. As to the arrest of Cheyt Sing, as a judge, I can see nothing criminal in the act; though, as a statesman, I think it was rash, precipitate, and unwise, under all the circumstances of the case; I mean, considering the inadequate force at Benares, in the event of Cheyt Sing's resistance. Coupling the arrest with the purpose intended by it, namely, taking from him forty or fifty lacks of rupees, I much doubt whether the fine was not so heavy as to be deemed excessive. But when I consider that Mr. Hastings acted, as in my conscience I believe he did, from the purest motives—when, after the most careful and attentive examination of the evidence, I can find nothing that induces me to believe he was actuated by a corrupt or a malicious motive—when I consider the alarming state of India at that momentous period, surrounded as Mr. Hastings was by enemies, and in hourly expectation of the arrival of a powerful armament from France—when I reflect that, under Providence, he was the happy instrument of preserving that valuable empire to Great Britain, and that every measure he took had no other object than the preservation of the empire; I cannot bring myself to think that the mere mistake in the amount of the fine which ought to have been levied

upon Cheyt Sing, is an act of criminality ; and the more especially, as Mr. Hastings did not mean to convert the money to his own use, but to apply it to the pressing exigencies of the British Government in India. An additional reason for his wishing that the arrest had been separated from the consideration of all that passed after the rebellion of the Rajah, his Lordship said, was because Mr. Hastings was clearly justified in the whole of his subsequent conduct by every principle of policy and prudence. In order to determine how far Mr. Hastings was warranted in dealing with Cheyt Sing, as he conceived Sujah Dowlah would have dealt with him under the same circumstances, or as any other absolute Prince would have dealt with his dependent, as in the case of the failure of obedience due from a vassal to his liege Lord in feudal times, it was necessary, in the one instance, to examine and to ascertain what the principles of the feudal system were ; and in the other, what were the known principles of the system of government practised under the absolute Princes of India, before their Lordships took upon them to decide, whether the punishment inflicted on Cheyt Sing was warranted by his disobedience and contumacy.

The history of India, his Lordship said, as far as he had made himself master of it, afforded abundant proof that fine and confinement were the usual modes of punishment adopted by the absolute Princes of that part of Asia, when their dependents had been guilty of disobedience and contumacy. The Earl said, to his surprise, it had been much insisted on in Westminster Hall, that Cheyt Sing was an independent sovereign Prince, or Lord : whereas it was clear beyond all question, that he was to all intents and purposes a dependent, first on Sujah Dowlah, and afterwards on the British Go-

vernment in India, and consequently responsible to Mr. Hastings, in his character of Governor General, for the whole of his conduct. On these considerations, therefore, and those I have before stated, said his Lordship, I shall certainly concur with the noble and learned Lord in voting, that the Commons have not made good this part of the first article.

The LORD CHANCELLOR said, he would not go over the facts that constituted the charge again, having so fully done that last week; he would only make a few observations relative to the feelings, which, speaking as a judge, impressed his mind on the occasion. He said it was a known principle of English law, that every offender under the British Government ought to have his punishment measured *ad modum delicti*, and that the idea that a British Governor, amenable to the sovereignty of Great Britain, was justified in acting as an absolute and despotic sovereign Prince, was not to be tolerated. Mr. Hastings had no authority to act as a despotic sovereign, and it was evident from his own words, that he did not proceed to punish Cheyt Sing *ad modum delicti*, but *sub modo* Sujah Dowlah. He would not allow the instance of the obedience of a vassal to his liege Lord in feudal times to be quite parallel and strictly in point, and he conceived, that if the motives of Mr. Hastings were to govern their Lordships, they were to look to Mr. Hastings's own avowal of the nature of his motives and principles.

The Marquis of LANSDOWN began a very strong and eloquent speech, with declaring that much praise was due to their Lordships, for the calm, deliberate, and grave manner in which they had taken up the business, and proceeded to go through the charges. Such conduct, in his mind, did the House the highest honour. He
ridiculed

ridiculed the pretensions to rank, respect, and royalty set up for Cheyt Sing. Having heard so much of his importance, he had been at some trouble to ascertain who that great man was, and in consequence of his researches, he was enabled to declare, that Cheyt Sing had no line of ancestry to be proud of, no honourable lineage to boast ; his grandfather was an adventurer of some parts, with an estate of 500*l. per annum*, who made his way by dint of ability and intrigue, as most adventurers do, and by those means got possession of Benares, and ousted the former holder of the districts and revenues belonging to it, who had been his patron and protector ; his son, Bulwant Sing, who succeeded him, had not equal parts (for it does not always happen that a son inherits his father's sense and talents) was another intriguer ; and his grandson, Cheyt Sing, a third intriguer. Each threw off the rightful sovereign, and the last would have intrigued for that purpose, probably against the East-India Company, and to the same effect, if Mr. Hastings had not prudently checked his ambition. When he heard the abuse that had been thrown on Mr. Hastings, and saw him, like Sir Walter Raleigh, compared to a spider of Hell, he was not only anxious to know the extent of his conduct, under all the circumstances of the time that he was Governor General of India, and particularly what the authority and powers were under which he acted. With this latter view, he had inquired for Mr. Hastings's commission, and was astonished when he found it to be so extremely short and comprehensive. Seeing that, he asked for his instructions, for every one of their Lordships who had been in office, well knew, that when a new Governor was sent out to any of his Majesty's American colonies, or British dependencies abroad, it was not only usual to give

give him a long commission describing his powers, but to accompany it with a set of instructions, in order to provide, as much as possible, for the objects in contemplation of his Majesty's Ministers at the time. Was that the case with Mr. Hastings? Nothing like it. He held his commission in his hand, the Marquis said, and he would read it to their Lordships: it was but short. The purport of it was, that the Directors of the East-India Company appointed Warren Hastings, Esq. Governor General of all their possessions in India, and invested him and his Council with the whole government civil and military. With respect to instructions, Mr. Hastings did not carry out a single line. His commission was his sole authority; and would any man, after hearing what he had just stated, venture to assert that Mr. Hastings, as Governor General of India, was not to be considered as an absolute sovereign Prince in India? He was so to all intents and purposes, and it would have been absurd to have expected any good to result from his government, if he were viewed in any other light.

The Marquis instanced the services of Lord Cornwallis, and said, great and important as those services were, the noble Lord could not have achieved them, if he had not been allowed to exert absolute power. He was aware that he possessed, and he had exercised it in various instances much to his own honour, and to the advantage of the Company, and the British interests in India. On the other hand, he thought, what Mr. Hastings perhaps would not be pleased to hear, that he did not stand entitled to have his conduct tried by the principles of English justice. If it had been practicable, he ought to have Mahomedan judges and a Mahomedan jury. It was not possible that British judges and British jurors
could

could be competent to decide on conduct arising out of circumstances so new to British ears, so irreconcilable to British customs; the genius of this government being free and liberal, all practices under it were necessarily governed by the same principles of freedom and liberality. Not so the conduct of arbitrary sovereigns; the minds of their subjects being familiar with the sight of unlimited power in daily exercise, they complained not of injustice, and suffered without a murmur, when they were conscious they only suffered one day, what might be the lot of their neighbours the next. From this view of despotism, and the conduct of despotic Princes, the Marquis said, he considered it as downright nonsense to talk of applying the precepts of the Christian religion, and the principles of English government, to subjects accustomed to live under Mahomedan laws, Mahomedan customs, and the system of oppression practised under the government of absolute Princes.

The great, and indeed only questions, in the case of Mr. Hastings, ought to be these:—Had he governed India to the satisfaction of the people? and had he improved the interest which his native country had in those distant possessions? These would have been the only questions which the late King of Prussia, the greatest and wisest man of the age, would have asked Mr. Hastings, if he had possessed so rich a dominion and so meritorious a servant. That able statesman and profound politician would have dealt with a person holding and exercising a distant government of great importance and authority in this way. He would have looked to the general result of his Governor's conduct. He would have said, "I sent you to rule
 " over an extensive territory, peopled with thirty millions of sub-
 " jects. I entrusted you with a large revenue for the support
 " of

“ of your government, and I gave you unlimited powers. Have
 “ you abused those powers ? have you diminished the revenues en-
 “ trusted to your management ? have you injured the subjects put
 “ under your protection ? or have you lessened the extent of my
 “ territories ?” Had such questions been put to Mr. Hastings, what
 would have been the answer ?

The answer their Lordships well knew, because it was the language of truth:—“ I came to the government, when all its re-
 “ sources scarcely exceeded three millions a year—when I left it,
 “ they were increased to five millions five hundred thousand pounds
 “ a year. I preserved and enlarged your dominions, and I left the
 “ people happy and contented, and pleased with my conduct.” The King of Prussia, satisfied with such an answer, would have inquired no farther. He would have been satisfied with the beneficial result of so long an administration. He would not have descended to inquire into the minutiae of his government, to be laboriously employed in tracing out every peccadillo and mistake arising from error of judgment ; he would not have been trying his Governor for years together after his return home, in order to discover some pitiful drawback from services the most meritorious and useful to his country. He would have acknowledged that Mr. Hastings had made a beneficial use of the absolute power lodged in his hands. The Marquis trusted, that no person would construe what he had said, as intending to cast a reflection on the House of Commons for preferring the accusation. Their motives were perfectly pure he was convinced. He concluded by declaring, that although he should not finally vote, yet he had examined the charge with the closest attention ; he was satisfied, that instead of maliciously persecuting and
 eagerly

eagerly oppressing Cheyt Sing, Mr. Hastings had manifested patience and forbearance even to a blameable degree, and was convinced in his conscience that Mr. Hastings ought to be acquitted of every part of the charge.

The Bishop of ROCHESTER said, that when he considered the accusation preferred against Mr. Hastings, which was of the most grave and important nature, he could not, consistently with what he thought due to the character in which he sat in the House, content himself by giving a silent vote, the more so, as, after the fullest examination of it, he should vote for the entire acquittal of Mr. Hastings. His Lordship said, he could not agree with the noble Marquis that it was of any consequence to the merits of the cause, whether Cheyt Sing could boast of a long line of ancestry or not. Be he of ever so obscure origin, he was entitled to justice as an individual, as much as any other man standing in the same relation to the British government in India. Neither could he concur with the noble Marquis's idea, that Mr. Hastings ought to be tried by Mahomedan judges and a Mahomedan jury. A British subject was entitled by British laws to be tried by a British jury and British judges, acting upon the principles of justice, recognized and established under the British Constitution. Mr. Hastings had been tried by the highest Court in the Kingdom, and he had no doubt but the Court would continue to proceed with that temper, impartiality, and fairness, which had on all occasions so eminently distinguished its character.

The Bishop proceeded to a very minute and accurate examination of the facts alledged in the charge as crimes. He began this head of his speech with observing upon the tenure under which Cheyt

Sing held his zemindary, and the duties that were imposed upon him. He proved, by a reference to the evidence, that he had violated all the conditions of his tenure, and said it was clearly made out, that he had invariably shewn himself a disloyal and disaffected subject—that he had actually forfeited his zemindary, and that, in point of fact, if Mr. Hastings were censurable at all, it was for a foolish partiality for Cheyt Sing, which led him to pay too little attention to the complaints, which, for a series of years, had been made to him against Cheyt Sing. It was not possible, he said, to impute a criminal, or a malicious intention to Mr. Hastings; and thinking, as his Lordship said he did, that the zemindary was forfeited, it was impossible for him to condemn that gentleman for intending to impose a heavy fine upon him for his manifold delinquencies. The Bishop declared, that he never would impute criminal intentions to any man, but where the fact, as in the case of murder, was *malum per se*.

His Lordship concluded by declaring that he should vote against the motion.

The question was then put, and the *Non-contents* were declared to have it.

FRIDAY, *March 13.*

The House being resolved into a Committee on the impeachment of Warren Hastings, Esq. Lord Walsingham in the chair.

Lord THURLOW rose to open the next article of the allegation in the Benares article, which, was, that after the expulsion of Cheyt Sing,

Sing, Mr. Hastings caused the castle of Bidjygur, the residence of Pauna, to be besieged, though she and the women had had no concern in the supposed rebellion: that he never inquired whether the treasures contained in Bidjygur were the property of the women or Cheyt Sing; that he stimulated the army to rapine and outrage, by the wicked orders he issued, and that the women were ultimately plundered in consequence of those orders.

His Lordship said, he would not stop to notice the strange mode in which the article was worded; the blunder of calling the strongest fortress in Hindostan after Gualior, a castle; the assertion that it was the residence of Pauna and her attendants: their Lordships all knew that it was, in fact, the strong-hold of Cheyt Sing, and the place where he kept all his treasures. They knew that until that fortress was captured, the war could not be said to be at an end. It was in evidence that Cheyt Sing retired with his women from Pateta to Bidjygur, and unwilling to stand a siege himself, had quitted the fortress, carrying with him as much of his treasure as he could convey away, and leaving only what he could not carry off, with a garrison of seven hundred men in the fort, and his mother, and many of the women of his family. It was in evidence also, that as soon as Mr. Hastings heard of his flight, and that he had left his women in the fortress, he earnestly recommended to Major Popham to treat Pauna, the mother of Cheyt Sing, with the utmost tenderness and attention, to which Mr. Hastings observes, she was entitled by her sex, her rank, and the station she had filled, and still more by her misfortunes.

The question for their Lordships' consideration would be, whether any circumstance in the subsequent letters of Mr. Hastings re-

commended, or authorised, or ordered, a different mode of proceeding to this lady. The evidence he would endeavour to state with the utmost correctness. After the siege of Bidjygur had continued for almost a month, the evidence begins by a private letter from Mr. Hastings to Major Popham, which is an answer to one from the Major to him, which does not appear. By the answer it is clear, however, that the Rannee had made a proposal to retire from the fort on conditions which Mr. Hastings thought unreasonable; and that, by the mode proposed, she might contrive to defraud the captors of a considerable part of the booty or reward to which he thought they were so well entitled. Mr. Hastings says he can make no objection, that Major Popham must be the best judge; and that he will certainly ratify any thing Major Popham has engaged for; but he positively declares that he never will allow her to hold any land or authority in the zemindary, without being subject to the authority of the zemindar. This letter is dated the 22d of October, 1781.

In a second letter, dated the 3d of November, Mr. Hastings expresses his readiness to comply with all the conditions on which Pauna had agreed to surrender the fort; that is, she had preferred certain conditions herself, to which Mr. Hastings fully consents; but adds, that if, after he has consented to her own proposal, she does not give up the fort in twenty-four hours, he shall consider her refusal as a wanton affront; that he will then grant her no conditions, but leave her exposed to those dangers which she chuses to risque, rather than trust to the generosity and clemency of the English government. If she complies, says Mr. Hastings
to

to Major Popham, it will be your part to secure the fort and the property it contains for the benefit of yourself and detachment.

Lord Thurlow said, that he believed there was not one syllable in these letters which was intended to produce, or which could possibly produce, the effect stated in the article.

It was impossible that these private letters to Major Popham could have stimulated the army to rapine or outrage, for the contents of them never were communicated to the army. The first contained an opinion, that the officers and soldiers composing the besieging army were entitled to the treasures which were in Bidjy-gur ; the latter repeated the same opinion.

It was also impossible, that when the fort was surrendered, Panna, her relations, and dependents, should have been plundered in consequence of the spirit of rapacity excited by the orders of Mr. Hastings, because it was proved in evidence, by Major Popham, that the accident happened owing to an outpost not having been withdrawn agreeably to his orders. It is proved also, that her attendants received ample compensation for this unexpected outrage. Mr. Hastings is next accused of endeavouring, by various artifices and devices, to retract his own declaration and permission to the army to share the plunder, and to recover the spoil which they had divided. Failing in that, he attempted to attain it as a loan, of which being also disappointed, he was altogether frustrated as to the attainment of the object of his journey to Benares.

Lord Thurlow said, he was utterly at a loss how to treat this part of the charge as a crime ; but as there certainly appeared to be something exceedingly shabby and unbecoming a great character

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in such a mode of proceeding, he thought it but right to lay the whole evidence before their Lordships, for their consideration.

Bidjygur surrendered on the 10th, after a breach was made, which the springing of a mine would very soon have rendered practicable. Immediate notice was sent to Mr. Hastings of the surrender. It does not appear that any letter was written to Mr. Hastings on the 11th; on the 12th there was a letter from Major Popham to Mr. Hastings, but without any mention of the division of the plunder. Captain Calcraft, aid-de-camp to Major Popham, was deputed to Mr. Hastings, and confessed to him that the division of the plunder had been made. That gentleman told their Lordships what passed between him and Mr. Hastings; the displeasure expressed by Mr. Hastings, at the division having been made so suddenly and without authority; his positive denial that the letters to Major Popham were meant to be, or could be construed as an order; but it does not appear that Mr. Hastings ever entertained an idea of retracting his opinion, which uniformly was, that the officers had a right to the booty, and that he would exert himself to obtain it for them legally and securely. My Lords, said Lord Thurlow, the officers themselves do not quote the two letters in question as orders, after they came to the knowledge of them.—They say, that the opinion of Mr. Hastings, so fully corresponding with their own, induced them to make an immediate division. Mr. Hastings in his answer explains himself most clearly: he says, that even if the amount had been uncommonly great, he should have hoped the Company might have had the immediate benefit of it, in their present exigencies, the property being first secured by bonds to the captors; if a moderate sum, he
would

would himself have authorised the distribution ; and had he in any event thought it right to apply to the Board, he would himself have advised the gift. Mr. Hastings adds, that if Major Popham conceived his private letters to contain the sanction which he attributes to them, he is sorry that he did not avail himself of his entire knowledge of Mr. Hastings's private sentiments. He desires Major Popham to send him copies of all those letters, and particularly one of the 10th of November, written by Major Palmer, his secretary, which comprises his opinions and wishes in the fullest and most positive terms. Though Major (now Colonel) Popham was cross-examined at considerable length by the Managers, yet it is very singular that they never did ask him any questions relative to this very particular letter of Mr. Hastings. The Managers had the power, if they chose to use it, of removing every doubt from the subject : as the evidence stood, it was most clear, that at every period Mr. Hastings contended for the right of the army to the Bidjygur prize-money ; but denied that they were authorized by him to seize their right, without first applying to him ; and it is equally clear that the officers do not state the letters which are called orders in the charge, higher than opinions, which entirely coincided with their own.

From this review of the evidence, and the reflections which appeared to him to arise from it, their Lordships would determine whether Mr. Hastings had acted that shabby part which the Managers imputed to him. He thought it no more than justice to a man who filled so elevated a rank in life, to state the facts fairly, though in truth what the Managers had charged did not amount to a crime. It was next alledged against Mr. Hastings, that he
acted

acted against his own declared and recorded opinions, which were, that the very idea of prize-money was destruction to the army, and ought to be avoided like poison. Their Lordships would find this also a charge not amounting to a crime; but it would be fair to state to them what appeared in the evidence, and what carried conviction to his mind, that the case, in which Mr. Hallings used the expression alluded to, was so exceedingly different from that of Bidjygur, as to make it impossible to charge him with inconsistency.

It was an historical fact, that when Cossim Ally Cawn was driven out of Bengal by the British army in 1763, they were acting as auxiliaries to Meer Jaffier, who was exceedingly liberal in his promises to the British troops, assuring them, and using, most unfortunately, a figurative expression, after the manner of the Orientalists, that when they had totally defeated and expelled Cossim, he would fill the cartouch-box of every sepoy with rupees. This promise never was performed; and the army was, in consequence of the non-performance, in a most dangerous state of mutiny for seven months, until, by very spirited exertions, the evil was quelled.

In the year 1774, the British army was acting as auxiliaries to Sujah Dowlah, in the Rohilla war. The Rohillas were defeated in a general action on the 23d of April; the battle was entirely gained by the English, who marched in pursuit through the enemy's camp, which was plundered by a body of Sujah Dowlah's horse that had not been in the engagement. This naturally occasioned some ill-humour in the army, and in the progress of the campaign some of the officers claimed a right to take what should

be found in Peelabeet, an open, defenceless town. On an application on the subject from the Commander in Chief to Mr. Hastings, that gentleman gives the orders which are quoted in evidence by the Managers, as contradicting—which they certainly do not in the smallest degree—the sentiments that Mr. Hastings held in 1781. The substance is, that the British army was acting as a stipendiary army, in a service by which the state of Bengal was to receive considerable benefit; that under no circumstances could they be entitled to plunder, except in a fortress or camp taken by storm; that Sujah Dowlah's reasoning was unanswerable. How could he discharge his engagements with the Company, if every thing in the Rohilla country became the property of the British army?

At Bidjygur the case was totally different; the Company's was the principal, not the auxiliary force; and consequently the same reasoning would not apply in the smallest degree. Lord Thurlow professed that he did not see so much irregularity in the mode of proceeding adopted by the officers. The place itself must have fallen in a very few days; and, to avoid the dreadful consequences of a storm, Pauna was reduced to surrender the fort, on condition of receiving 15 per cent. on the amount of the treasures in the fort; and Colonel Popham readily granted her those conditions. If, under such circumstances, the fortress was not to be deemed, with respect to plunder, a fortress taken by storm, and if it should be a prevalent idea, that nothing could justify plunder, but the actual capture of a fortress by storm, he was much afraid that no fortress in future would be permitted to surrender. On all grounds Lord Thurlow said, it was most apparent, that Mr. Hastings was

clearly with the officers in the question of their right to the property found in Bidjygar. And the only point in dispute was, whether they were justified in exercising that right themselves, under the two passages in the private letters from Mr. Hastings to Colonel Popham, or whether they were to wait for an adjudication of that right by Mr. Hastings, or by the Governor General and Council collectively?

As to all the remaining parts of the charge, he imagined their Lordships would all be of opinion that they had not been made good. It must have been owing to carelessness that Mr. Hastings was criminally charged for raising the public revenue from two hundred and thirty, to four hundred thousand pounds a-year. He had already said, that that additional revenue had been regularly paid from the time it was settled by Mr. Hastings to the present day. The remaining allegations are equally unimportant in his mind; but he would sit down without moving any question until he heard the sentiments of other noble Lords; for he was seriously anxious to go into the fullest discussion of every point on which there could be the slightest difference of opinion amongst their Lordships.

The LORD CHANCELLOR said, he had no objection to the taking the whole of the residue of the charge on one question, because undoubtedly the plunder of the soldiery on the taking of the fort of Bidjygar was the main fact alledged in the residue of the charge; but he could not help differing materially with the noble and learned Lord, as to his reasoning upon that fact, and all the circumstances of the case. He would put wholly out of the question all consideration of the sex of the Rannee, because, though
argu-

arguments might be drawn from it, calculated to add to the colouring, and heighten and aggravate the extent of the charge, they were rather to be regarded as an appeal to the passions of their Lordships than to their judgment. With regard to the law of plunder, it was in itself an indefinite term; he conceived that nothing could properly be deemed plunder, that had not undergone a legal adjudication. Nobody would contend that an army might spread itself over a country and seize upon every species of property it met with, because that would not only prove a total want of discipline, but tend evidently to the ruin of the army itself. A soldier so possessing himself of the property of another, would not only in the eye of the law be individually responsible to the owner, but would be guilty of a criminal act. That, however, did not immediately apply to the conduct of Mr. Hastings, in respect to the charge under the consideration of the Committee, upon which, speaking as a judge, he could not avoid saying, he was impressed with a very different opinion from that stated by the noble and learned Lord.—He thought the conduct of Mr. Hastings, throughout the transaction, highly unjustifiable; and he rested that sentiment on the proof afforded by the two letters, that of the 22d of October, and that of the 3d of November, from which the noble and learned Lord had drawn conclusions so extremely favourable to Mr. Hastings. His Lordship read the essential part of the letter of the 22d of October, 1781, as follows: “ I am this instant favoured with your’s of yesterday. Mine of the same date has before this time acquainted you with my resolutions and sentiments respecting the Rannee (the mother of the Rajah Cheyt Sing.) I think every demand she has made to you, except that

“ of safety and respect for her person, is unreasonable. If the re-
 “ ports brought to me are true, your rejecting her offers, or any
 “ negotiations with her, would soon obtain you possession of the
 “ fort upon your own terms. I apprehend that she will contrive
 “ to defraud the captors of a considerable part of the booty, by
 “ being suffered to depart without examination: *but this is your*
 “ *consideration, and not mine.* I should be very sorry that your
 “ officers and soldiers lost any part of the reward to which they
 “ are so well entitled; but I cannot make any objections, as you
 “ must be the best judge of the expediency of the promised
 “ indulgence to the Rannee. What you have engaged for, I
 “ will ratify,” &c. His Lordship proceeded to comment with
 great pointedness on the language and terms of this letter, and
 reprehended every one of the strong passages, especially that in
 which Mr. Hastings, after expressing his apprehensions of the
 Rannee’s contriving “ to defraud the captors of a considerable part
 “ of the booty, by being suffered to retire without examination,”
 says—“ *but this is your consideration, and not mine.*” So far
 from this being proper language and advice for Mr. Hastings to
 hold, he contended, that it was a gross neglect and omission of his
 duty; and, coupled with the next sentence—“ I should be sorry
 “ that your officers and soldiers should lose any part of the reward
 “ to which they are so well entitled,” amounted not merely to a
 licence, but held out an encouragement to plunder. Having em-
 phatically pressed his remarks on these parts of the letter of Octo-
 ber, his Lordship adverted to that of November, and observed
 upon it with equal severity of construction. The letter of the 3d
 of November, 1781, was as follows: “ I am willing to grant her
 “ now

“ now the same conditions to which I at first consented : provided
 “ that she delivers into your possession, within twenty-four hours
 “ from the time of receiving your message, the fort of Bidjygur,
 “ with the treasure and effects lodged therein by Cheyt Sing, or
 “ any of his adherents, with the reserve only, as above mentioned,
 “ of such articles as you shall think necessary to her sex, and
 “ condition ; or as you shall be disposed of yourself to indulge
 “ her with. If she complies, as I expect she will, it will be
 “ your part to secure the fort, and the property it contains, for
 “ the benefit of yourself and detachment. I have only farther to
 “ request that you will grant an escort, if Pauna should require
 “ it, to conduct her here, or wherever she may choose to retire to.
 “ But should she refuse to execute the promise she has made, or
 “ delay it beyond the term of twenty-four hours, it is my positive
 “ injunction, that you immediately put a stop to any farther inter-
 “ course or negociation with her, and on no pretext renew it.
 “ If she disappoints or trifles with me, after I have subjected my
 “ Duan to the disgrace of returning ineffectually, and of course
 “ myself to discredit, I shall consider it as a wanton affront and
 “ indignity which I can never forgive ; nor will I grant her any
 “ conditions whatever, but leave her exposed to those dangers
 “ which she has chosen to risque, rather than trust to the clemency
 “ and generosity of our government. I think she cannot be igno-
 “ rant of these consequences, and will not venture to incur them ;
 “ and it is for this reason I place a dependence on her offers, and
 “ have consented to send my Duan to her.” His Lordship con-
 tended that nothing could be more tyrannical, arbitrary, and op-
 pressive, than the style and terms of this letter ; it was such as a

British governor could scarcely be warranted in having written on almost any occasion that could possibly have occurred; least of all could it, in his mind, be justified under the peculiar circumstances of the case in question. As to the subsequent attempt to make the officers and soldiers refund the plunder which they had been thus encouraged to take, and to pay it on the footing of a loan, his Lordship conceived it was rather to be treated as a matter of ridicule than of serious argument. Their Lordships all pretty well knew how difficult it was to get any body to refund—especially a victorious soldiery. In the instance in question, what had been the answers?—One officer said, “I should have no objection; but “ you must ask my creditors.—I was in debt, and I have applied “ my share of the money to discharge my debts.” Another declared, “ he had never before an opportunity to make his fortune. “ He had made his fortune then, and they might get the money “ from him if they could.” And such were the sort of answers given, and the only sort of answers that were to be expected; consequently the attempt to get back the money failed altogether.—With regard to other parts of the charge, the Lord Chancellor said, he had differed from the noble Lord before, and he still retained the sentiments he had stated on that subject to the Committee; he therefore thought the conduct of Mr. Hastings, as alleged in that part of the first article, did amount to a high misdemeanor, and he should give his vote for the question, “ That “ the Commons had made good the charges contained in the re- “ fidue of the first article.”

Lord THURLOW in reply said, that the learned Lord had totally mistaken the whole statement. The first letter to Major Popham

Popham contained his opinion of the best mode of getting possession of the fort, and very properly refused to allow the wife of Cheyt Sing to hold in future any authority in the zemindary of Benares, independent of the zemindar. The second contained an unqualified assent to every proposition sent to him by the Rannee herself. But Mr. Hastings very wisely and properly observed, that if she should recede from those conditions which she had voluntarily made, and to which he had freely and fully consented, then he would leave her to her fate. Was not a letter of this nature well calculated to keep her steady to her own engagements? The private letters to Major Popham, containing the opinion of Mr. Hastings, as to the right of the army to the plunder found in Bidjygur, could not possibly have excited the troops to rapacity, consequently there was no ground for condemning the conduct of Mr. Hastings in any part of the transaction.

The LORD CHANCELLOR again rose, and said, he had no objection to the learned Lord's putting all that remained of this article into one question.

Lord THURLOW then moved, that the Commons had made good the ten remaining allegations in the first article; which was negatived: and having gone completely through the article, Lord Walsingham, as chairman, reported progress, and the Committee was appointed to sit again on Monday, the 16th instant.

MONDAY,

MONDAY, *March 16.*

When the order of the day for going into a Committee on the impeachment of Warren Hastings, Esq. was read,

The Duke of NORFOLK rose, and said, that previous to the House going into the Committee, he wished to notice the proceedings that had already taken place; his Grace in some measure censured the mode that had been adopted of putting the question upon every individual article of each charge, and dividing upon it: the decision thus given, went abroad as the verdict of the House upon the charge thus discussed; but his Grace thought, that the Peers should each in their individual capacity, as judges in this trial, give their verdict of Guilty or Not Guilty, upon each charge of the impeachment as presented at their bar by the Commons of England. Therefore, as he understood that the first charge had already received that deliberation and decision in the Committee to which he alluded, and that the Committee were now going to the consideration of the second charge of the impeachment, he thought it proper to suggest the above mode of decision, and made a motion to that effect.

This being objected to by Lord Thurlow, and his reasons for objecting to it stated, the Duke withdrew his motion, and then moved, “ That the Committee of the whole House be directed to
“ report to the House their proceedings upon the first article of the
“ impeachment against Warren Hastings, Esq.”

Lord THURLOW in reply said, that if the noble Duke had been present at the commencement of the consideration of the mode of proceeding proper for the House to adopt, as well for its own convenience as for the better securing the ends of substantial justice, he would have heard the mode of proceeding fit to be adopted de-
liberated

liberated upon with great coolness and temper, and known that the result had been a determination, that a Committee should take the several charges separately to their consideration, and come to decisions on such questions as they should deem proper and applicable, and that the House should afterwards have a free and full opportunity of discussing the whole of their resolutions, and the grounds on which they stood, previous to their proceeding to Westminster Hall to pass judgment. With regard to himself, his Lordship said, he had been perfectly indifferent, what the mode of proceeding should be ; but a Committee having been appointed, in the manner that he had stated, he thought their Lordships had better, for the present, leave the business in the hands of that Committee. His Lordship spoke of the absolute necessity of those who were to give a verdict on any cause of a criminal nature, previously to consult together, for the purpose of forming that verdict : and still more necessary was it, where there was a great number of judges to give a verdict upon charges so multifarious as those which were to be found in the articles of the impeachment. He put the case of a man indicted for perjury and forgery in one indictment, and asked if some consultation was not absolutely necessary on the part of those who were to give the verdict, previous to their going into Court to deliver it ?

It would, he said, be impossible for the House to determine on the mode proposed by the noble Duke at present, because the House was not in possession of the particulars that had transpired in the Committee ; a great deal of light had there been thrown upon the subject : but till a report from the Committee was made to the House, it would be presumptuous to give a verdict ; he agreed, however, that when the charges had been gone through in the Com-

mittee and the report made, then the mode, as proposed by the noble Duke, was the most proper to pursue.

The Duke of NORFOLK said, he was by no means convinced by what had fallen from the noble and learned Lord. He admitted that previous consultation among those who were to deliver a verdict was in almost all cases necessary, but he thought his motion would tend to render the proceedings more clear and perspicuous. The Duke said, that what he meant to impress upon the House as his opinion was, that they should give their verdict upon the different charges in the same manner as if they attached to different and distinct persons, and for that reason he had made his motion; but upon the observation of the noble and learned Lord, he now found that it would have been more consistent with the forms of debate to have let the House go into a Committee, and then have moved that the Chairman report progress; however, as it was understood that the Committee were to go into the second charge of the impeachment, and he wished the House to discuss the first, he trusted that the seeming irregularity of his moving for the report now would not be deemed irrelevant. His Grace persisted in his motion.

Lord THURLOW said, that this motion went to discharge the Committee, and take the business out of their hands.

The question was put, and the *Not-contents* had it.

The House then resolved itself into a Committee, Lord Walsingham in the chair; when

Lord THURLOW addressed their Lordships on the matter contained in the second article. He said, that he should wait until he heard the sentiments of other noble Lords, before he proposed to put only a single question upon this article; which, in his own opinion,

nion, would be sufficient. If any Lords should desire to divide it into parts, he would propose as many separate questions as there should appear to be doubts as to the innocence of Mr. Hastings. In his view of the subject, there were but three points to be considered in this article:—the propriety of Mr. Hastings's conduct, first in assenting to the Nabob's proposition for resuming the jaghires, and afterwards for using a degree of compulsion to induce him to adopt that salutary measure: secondly, his consent to the resumption of the treasures of his mother: and thirdly, his disobedience of (what the charge calls) the orders of the Directors, in not making a full inquiry into the fact of the Begums' rebellion. These were the three points, according to his idea, on which the charge turned, in so far as there was any evidence produced that affected Mr. Hastings. The supposed treaty with the elder Begum he should pass over, because it was clear from the evidence, that neither the Board nor Mr. Hastings had authorised Mr. Middleton to conclude any treaty with her. The hardships and distresses which had been twice sustained by the women in the Khord Mohul, he should also pass over; since it was perfectly clear to him from the evidence, that Mr. Hastings never heard of their distresses until many months they had been removed, and when the humanity of an English officer induced him to relieve them, the Nabob wrote a very angry letter to him, for presuming to interfere in the manner he did. He should also pass over the allegation of the horrid and cruel methods practised to compel the eunuchs to discover the treasures of the Begum.

There was no proof that any such means had been made use of; but here again, Mr. Hastings neither authorised nor advised horrid or cruel means—his orders were direct, clear, and positive: first,

that the service should be prosecuted until the Begum and her servants were at the entire mercy of the Nabob, and their wealth secured from private embezzlement ; and next, it was his strenuous advice to the Nabob, that the conduct of the Begum's eunuchs, at the time of the rebellion, should be fully investigated ; and that, if on such investigation they should be found guilty, the Nabob would punish them exemplarily, as an example to others. Their Lordships knew from the evidence, that this advice was not followed, nor his orders obeyed. The eunuchs were pardoned on the condition of paying a certain sum from the Begum's treasury, and it was for a deficiency in performing their agreement that they were confined from February to October, 1782, a short part of the time in very slight irons ; but the place of their confinement was a palace, and they had its gardens to range in. Even of this slight confinement it was in evidence also that Mr. Hastings was ignorant, and consequently the propriety of his conduct turned only on the three points which he had already mentioned to their Lordships.

Before he considered these three transactions, his Lordship said, he would mention the point of view in which the charge struck him, which, though unnecessary for him to state to satisfy his own conscience in the vote which he should give, did, he conceived, require very serious consideration from any noble Lord, if there was one, who thought that the Commons had made good any one point in this article.

A noble and learned Lord (Loughborough,) in the discussion of the Benares article, had said, that the Managers for the Commons had weakened their cause very much, by their attempts to prove that Cheyt Sing was an independent prince. Had they succeeded, the case, in the noble and learned Lord's opinion, would have been

very

very different, because the distinction between doing an act of injustice to your own subjects, and to an independent sovereign, or the subjects of an independent sovereign, was very material indeed. Lord Thurlow said, that he fully concurred with the noble and learned Lord, and he desired him to take the distinction in the present case. The Commons, it is true, had affirmed in their articles, that the conduct observed towards Cheyt Sing and the Begums had involved the British name and character in unspeakable dishonour and disgrace in the eyes of all Asia. It had been fully proved, and the last evidence to the point was the Marquis Cornwallis, that if such consequences did follow from these acts, nobody ever heard of them; and he could have no hesitation in saying, that the allegation was unfounded. The question then would be, whether the Minister of one state, procuring either by management or compulsion, a measure to be done, which was highly advantageous to his own state, could be amenable for the act, because it involved in it a degree of injustice to the subjects of another state? That was the question; for whatever degree of influence Mr. Hastings might possess over the Nabob of Oude, still he was ostensibly an independent sovereign, and it was by management alone, not by force, that we acquired and retained our influence over him—an influence which began in 1775, and continued to this day precisely the same; as he should have occasion to shew to their Lordships in the detail which he would now proceed to lay before them; for, as the detail advanced, he thought it would clear up every circumstance relative to Mr. Hastings. In the month of January, 1775, Sujah Dowlah died: a Prince formed for the government of a great empire: He nominated, in his last illness, his only legitimate son, Asoph ul Dowlah,

Dowlah, to the succession. This young Prince, independent of his wanting all the qualifications that distinguished his father's character, succeeded under terms that will well account for all his subsequent misfortunes. His father had recently added the country of Rohileund, the Douab, Corah, Currah, and Allahabad, to his dominions. A large force was necessary to secure acquisitions so recently attained. The army was very considerably in arrears, although the exact amount of those arrears does not appear in evidence, and four hundred and eighty thousand pounds were due to the East-India Company. The treasury contained money enough to extricate the Nabob from all his difficulties, amounting by common report to more than four millions sterling, but supposed by Mr. Bristow, on good information, to amount at least to two millions sterling. This treasure, unhappily for the Nabob, was in the zenana of the palace of Fyzabad, and under the charge of the Nabob's mother, who had officiated as the treasurer of Sujah Dowlah prior to his decease.

The charge calls these treasures valuable moveables, of which, as it affirms, the Begums were possessed, in order to enable them to maintain their own rank and dignity, as well as for the maintenance of their numerous family and dependents.

But the evidence fully proves, that they were the public treasures of the state, amassed, as the Begum's eunuch confessed to Mr. Bristow, to provide against an emergency; and consequently, in point of justice, before the Begum could claim her eighth of those treasures, the debt of the Company, and the sums due to Sujah Dowlah's army at his decease, ought to have been paid from them. The numerous family and dependents of Sujah Dowlah, were provided

vided for by the present Nabobs as appear, beyond all doubt, by the evidence on your Lordships' minutes. •

It is impossible to review, said Lord Thurlow, the scene that followed without wonder, and even indignation.

The Nabob, weak and ill advised, addicted to those vices the most base and degrading to the human character, converted the companions of his miserable pleasures and debaucheries into Ministers of state. His mother, as he told Colonel Galliez, soon after his accession, was his bitter enemy ; and it appears by a subsequent letter from her, that there had been great differences between them. He continued in this state of distress from his accession in January, 1775, until the month of May, when it was rather increased than diminished. But it is now material to consider the conduct pursued by the British Government, and that may be done in a very few words.—On the death of Sujah Dowlah, the Council acknowledged his son as Nabob of Oude, but determined, against the opinion of Mr. Hastings, that the treaties subsisting between the states of Bengal and Oude expired by the death of Sujah Dowlah. They next determine to conclude a new treaty, and to dictate the terms of it. Your Lordships will remember, that at this time there was an English regiment, a company of artillery, and six battalions of Sepoys in Oude, not making more than five thousand men ; but such is the reputation of the English arms in Hindostan, that merely to purchase the continuance of this small force in Oude, the Nabob, in May, 1775, consented to pay a monthly subsidy of two lacks and sixty thousand rupees, instead of two lacks and ten thousand, which he had paid before, and to cede to the English for ever the rich provinces of Benares and Ghazipore.

Your Lordships are now got to May, 1775 : the diminution of the Nabob's means, and the increase of his expences, kept pace with each other. He had obtained on loan from his mother about twenty-six lacks of rupees, for which he had given in jaghire, four times the value. In October, 1775, when he was very much pressed for money, both by the Company and by his army, he commenced a negociation with his mother, through Mr. Bristow, of which the Governor General and Council heard not a word, until they heard of its conclusion : an agreement was entered into by the Nabob with the Begum, the terms of which were, that having already received twenty-six lacks, and being then to receive thirty lacks more on account of *his patrimony*, he gave the Begum a full acquittal as to all the rest, and secured her jaghires to her, without interference, for life. Mr. Bristow was the guarantee to this treaty on the part of the Company. The impolicy of the agreement was most apparent ; but the Governor General and Council approved it, because, as they informed the Directors, the urgency of the case required it. The question now to consider will be, how Mr. Hastings acted in support of this guarantee, however it might have been obtained, or however impolitic was the measure itself. It appears from all the evidence, that between the year 1775, when it was granted, and the year 1781, when it was withdrawn, Mr. Hastings most punctually observed it, and seemed to decide on all disputed points more in the Begum's favour than she really deserved.

The first application made to the Board in Calcutta, subsequent to the guarantee, came, as your Lordships will recollect, from the Begum herself, in December, 1775. In the letter, which is a very long and a very curious one, she highly blames the measures of her son : she desires Mr. Hastings to cause Elige Cawn to be appointed

pointed the Minister, and to cause the Nabob to dismiss Murteza Cawn, who was at that time the Minister ; and then she adds, “ I will cause the revenues, and the dues to the English chiefs, to “ be paid.” The Board are struck with the style of the letter ; and Mr. Francis says, that it seems very extraordinary that this lady should presume to talk of governing kingdoms and appointing Ministers. He adds, that such language is singular in a country where women are not allowed a free agency in the most trifling domestic circumstances. Mr. Francis conceived the letter not to be of her writing, but of one of her eunuchs, probably of the person who brought it to Calcutta. The dispute between the Nabob and the Begum related to the payment of the thirty lacks ; she offered to liquidate eleven lacks of the demand, by giving horses, elephants, camels, artillery, arms, and ammunition ; and the Nabob very naturally asked what claim she could make to musquets and guns ?

The fact is of consequence, as in the course of the correspondence your Lordships will see the spirit which actuated this lady : in one of her letters to Mr. Bristow she says, “ You were a party to the “ agreement—let me have my money back ; do you remain neuter, “ and then let Asoph ul Dowlah and his Minister, in any manner “ they can, take the money from me : by the blessing of God they “ will then see the consequences.” In a letter from Mr. Bristow to the Board, he says, “ the Begum, while she complains of the Nabob “ and his Minister, forgets the improper conduct of her own servants, who preserve a total independence of the Nabob’s authority, refuse obedience to his perwannahs, and beat the officers of “ his government.” In a letter to the Begum, six months after

the guarantee, Mr. Bristow tells her, “ that the Nabob proposes one
 “ method which will cut off all future disputes : it is, that she gives
 “ up her jaghires, and receives the value in money ; for, as his
 “ Excellency observes, two rulers are too much for one country.”

In speaking of the Begum as acting with this degree of violence, I do not mean to say she should be made personally responsible. I think there is a great deal of good sense and justice in a remark of one of the Managers, that a woman in India of high rank, is not only immured, but enshrined in a zenana. I think too, that any personal indignity offered to a woman of high rank, must very much shock the people of India : but if, by some strange impolicy, such as happened in the instance before your Lordships, immense landed property, and a military force to protect it, are granted to a lady of high rank, her agents must be strictly responsible for all the acts done in her name ; and therefore, in speaking of the Begum's concern in the rebellion, I do not mean to say that she could be made responsible, farther than by depriving her of treasures of which she could not possibly make any use, and which her agents had often employed for the destruction both of her son's and the British Government.

Your Lordships have doubtless observed by the evidence, which contains the series of letters that passed from 1775 to 1781, between the Board and the residents at Oude, and from which a very correct history can be formed of the state of the country, that whether Mr. Hastings was in a majority, or in a minority ; whether Mr. Bristow, Mr. Middleton, or Mr. Purling, was the resident ; the species of influence employed over the Nabob, his distresses, and the confused state of the country, were precisely the same. Him-
 self,

self, I am sorry to say it, a slave to those abominable vices which debase and disgrace the man, was governed by his favourites. When Mr. Hastings, in 1777, strongly remonstrated to him on the impolicy of his conduct, and earnestly advised him to dismiss from his presence the unworthy characters that surrounded him; what did he say to enforce this advice? The English, if you do not follow it, must break off their connection with you altogether. I beg your Lordships will bear this in your minds. The Nabob thanks Mr. Hastings for his advice, promises to attend to it, and in his letter tells him he has appointed the ministers recommended by Mr. Middleton: these were Husein Reza Cawn, and Hyder Beg Khan. Mr. Bristow and Mr. Middleton both state that the Nabob dissipated immense sums of money amongst his favourites; and, provided he got all the money he wanted, he was indifferent as to the state of his dominions. Lord Cornwallis gives precisely the same character of the same Prince, thirteen years after the period of which I am now speaking, and he uses these pointed expressions: "The disorders which have prevailed in Oude are to be traced in the character of its Prince." But, my Lords, to bring the history down to the period of 1781, when it more particularly applies to Mr. Hastings: your Lordships see by the evidence, that in the month of September, 1781, Mr. Hastings met the Nabob at Chunar, and concluded that engagement, which is known by the name of the treaty of Chunar. It consisted of four articles, proposed by the Nabob, and agreed to by Mr. Hastings without addition or diminution. The article which applies to this charge is, that the Nabob should be permitted to resume such jaghires in his dominions as he thought proper; but engaging at the same time to pay the

amount of such jaghires as had been guaranteed by the Company, in ready money to the English resident. The Nabob, as appears from the evidence, positively declared his determination to adopt this salutary measure of the resumption as soon as he returned to Lucknow; and your Lordships will observe by the evidence, that the revenue of the jaghiredars and tuncadars amounted to more than fifty-six lacks of rupees a year, in a country where every person of those descriptions exercised military power; you need not therefore be told, that nothing could be more mischievous to the peace of the country than such an establishment. I will suppose for a moment that the Begums had shewn no signs of disaffection; I should think, in such a case, that the resumption of their jaghires, receiving a proper equivalent, would have been no breach of the agreement. The freest subjects of the freest country in the world, are obliged on all public occasions, to dispose of their property for an equivalent, when the public good requires such a sacrifice; and in this case the experience of many years had proved the indispensable necessity of the measure: but with the information which Mr. Hastings had received of the rebellious conduct of the Begums, it would have been highly impolitic to have left them possessed of a great landed property, and a large military force. The circumstance on which the Managers have laid the greatest stress is this, that though, by the article in the Chunar treaty, to which I have alluded, the Nabob was to act as he pleased as to the resumption, Mr. Hastings compelled him ultimately to resume all the jaghires; and the same observation was also made as to the seizure of the treasures; for, although the first proposition came from the Nabob, he was induced at last, as Mr. Hastings says, to act with an almost unconquerable reluctance;

reluctance; an expression taken from a letter of instructions written by Mr. Hastings to Major Palmer, in which that officer is directed to inquire particularly into the cause of so singular a circumstance.

“ I have been told, (says Mr. Hastings in those instructions) that the Nabob was at last compelled to yield with an almost unconquerable reluctance to the adoption of those measures, which he had himself most earnestly urged me to agree to his carrying into effect.” Your Lordships will determine under all the circumstances of the case, whether such a prince as Asoph ul Dowlah is described to be, was not to have been managed in the manner he was by Mr. Hastings.

By another article in the Chunar treaty, the British officers, who from time to time had been appointed at the Nabob's desire to command corps in Oude, were to be withdrawn, and the defence of Oude to be left to one brigade only. The English gentlemen, settled at Lucknow in various public offices, were also to be withdrawn, and only the resident's establishment to remain. The Nabob, on his part, consented to separate his public from his private expences—to fix the amount of the latter—to reform his army—to entrust his public treasury to his minister under the inspection of the British resident—and he was also prevailed upon to agree to other salutary regulations, which were framed with the intention of introducing order into his government; and by which the benefit resulting to the Bengal government would be as speedy a liquidation of the then existing debt as possible, and the prevention of any arrear in his future payments. The Nabob, as appears from the evidence, left Chunar on the 19th of September. That and the following month passed over, but no measures were taken on the part of the Nabob, either to put his government in order, or to resume

resume the jaghires ; though Mr. Hastings issued orders for the recal of the temporary brigade, and directed all the gentlemen who, from time to time, had been appointed to Lucknow, to quit it, with the exception of the resident's office. It does not clearly appear at what time a proposition was made to Mr. Hastings for taking the treasures from the Begum ; that it was first made by the Nabob, through Ally Ibrahim Cawn, seems to be admitted on all sides ; though Sir Elijah Impey thinks, that he himself was the person who suggested the idea to Mr. Hastings, or, at least, that he first took it up in a conference with him at Chunar, in November. This, however, is a point of no moment ; it is certain that Sir Elijah Impey was desired to convey Mr. Hastings's directions to Middleton, to sound the Nabob, and, if the Nabob should make such a proposition, to inform him that it would be complied with. In the subsequent correspondence between Impey and Middleton, it appears that the Nabob came very readily into the measure, but wished to use it as an alternative, for resuming the jaghires—a measure which, though proposed by himself in September, he wished to avoid carrying into effect in December. Mr. Hastings appears in the subsequent part of the correspondence to be greatly surprised at this unaccountable conduct of the Nabob ; but the pressing solicitations of Middleton, and his threat to adopt the measure himself, in concurrence with the minister, independent of the Nabob, did at last incline the Nabob to yield to what Mr. Middleton calls a nominal consent. I think, my Lords, it is perfectly clear from the evidence, that this disinclination to resume the jaghires was entirely occasioned by the advice of the men who surrounded him, and who were perpetually counteracting the endeavours of the minister to restore order

to

to his government. To the seizure of the treasures he does not appear to have had any objection, though Mr. Middleton describes his conduct at the moment it was to be carried into effect, as wavering and indecisive. Both measures were completely effected in January, 1782: the consequences to the Bengal government were, an immediate discharge of a very heavy debt, and a relief to distresses, which I protest to you, my Lords, could not, in my opinion, have been relieved by any other means.

Infinite pains were taken in Westminster Hall to prove that Mr. Hastings had given false accounts of his motives for adopting these measures, and thence to infer his criminality. With this view the Managers read the defence which Mr. Hastings made in the House of Commons; and also what they called a second defence, though the counsel took the trouble to prove that it was not in fact a second defence, Mr. Hastings having caused a few copies of it only to be delivered to particular members. Whether it be what the counsel or what the Managers call it, still it is evidence; and I am not a little astonished at the perfect fairness of the counsel, in wishing to explain so precisely what the paper was. Mr. Hastings would have done wisely had he desired the House of Commons to receive it as a second defence; it corrects the errors of the first, and contains that clear and plain statement of the whole transaction, which has since been fully made out by evidence. It corrects a material blunder in the first, and it is in proof that the first was written by Mr. Middleton, who had said that the motive for seizing the treasures was, the Begum's resistance to the resumption of the jaghires. Now, my Lords, the whole of Mr. Middleton's evidence, the whole of his former evidence in the House of Commons,

mons, proves that this was a blunder. Mr. Hastings's letters to the Court of Directors prove it also to have been a blunder ; and it is fully and completely cleared up in that second defence, which the Managers have given in evidence.

The next point laboured by the Managers was, that a Begum had a right to the treasures lodged in the zenana ; and to establish this, they called Mr. Goring, whose evidence was indeed of a most singular nature : he swore, that when he was at Moorshedabad, in the year 1775, he visited the widow of the Nabob Surajah Dowlah, who, your Lordships will remember, was deposed after the battle of Plaffey, in 1757 ; that she appeared to live in a style of great splendor and magnificence ; that he supposed she was enabled to do so from the money deposited in her palace by her late husband, Surajah Dowlah ; that he never heard of Meer Jaffier's claiming any part of the treasures left in the zenana, after the death of Surajah Dowlah, and that he conceived the treasure once lodged within the zenana is intended for the support of the women in the zenana : from his observation, he thinks it is the custom to lodge money in the zenana, for the support of the women. My Lords, I will not insinuate that *per obliquum*, which I am not ready to say *per directum*. I shall therefore only observe, that the opinions to which this gentleman swears, shew him to be most thoroughly ignorant, not only of all Oriental customs, but of the history of the particular period to which he alludes. It is an established fact, my Lords, received as such on the authority of Scrafton and Orme, that after the rout at Plaffey, Surajah Dowlah first sent off his women, with fifty elephants, their furniture and necessaries, and a great part of his own jewels. On the night of the same

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day,

day, he himself fled in disguise with his favourite concubine, and an eunuch, carrying with him a casket of his most valuable jewels. The women, the elephants, and the treasure, were all seized and brought back to Moorshedabad; Surajah Dowlah continued his flight, disguised; he was taken at Rajamahl, brought back to Moorshedabad, and, as your Lordships all know, he was murdered by the orders of Meeran, the son of Meer Jaffier. From his treasures, all of which were seized by the conqueror Meer Jaffier, one million seven hundred thousand pounds was paid to the Company and to individuals, as a compensation for their losses, and an apology was made for postponing the remaining payments, because the treasures of Surajah Dowlah had turned out not to be so considerable as Meer Jaffier had expected. But, my Lords, the defendant's counsel produced evidence which clearly proved the source from whence this lady, the widow of Surajah Dowlah, acquired the means of living as she did. Her father, Mahomed Eritch Cawn, held a considerable jaghire in trust for her, which had been settled as a dower upon her in 1750, on her marriage with Surajah Dowlah, while Aliverdy Cawn was living. This lady always received the amount of this jaghire, as she fully proved in 1780, when her father died; and on the fact being made out that the jaghire was really settled upon her, Mr. Hastings and the Supreme Council continued it to her, though it actually stood in the name of her father. I shall leave it to your Lordships to determine how far the Managers have proved that the treasures lodged in the zenana, belong to the ladies of the zenana.—There is full evidence that the treasury of Sujah Dowlah was in the zenana of Fyzabad, and that

the Begum's signature, as his treasurer, was necessary for all considerable issues of money from that treasury.

The next point, my Lords, on which the Managers relied to prove the guilt of Mr. Hastings, was his refusal to obey the orders of the Directors, received in August, 1783, for making a fuller inquiry into the supposed rebellion of the Begums in 1781. To this point they called my late friend, Mr. Stables, a very worthy man, but certainly not remarkable for the brilliancy of his talents, or for the quickness of his conceptions. They ask him if he did not move the inquiry into the Begum's conduct, and why he moved it? He tells them he did so, because he conceived that inquiry to have been ordered by the Directors, as his minute written at that time would shew. Now, my Lords, the Managers, in order to support the credit of their witness, produced the minute alluded to, in which Mr. Stables distinctly states that his reason for moving an inquiry was, because the Directors seemed not to be satisfied with the information before them—a very different statement, indeed, from that which appears in the charge, and which Mr. Stables, by his oral evidence, did in fact support. However, the reference to the minute which Mr. Stables made, clearly proved, that that gentleman did not mean to mislead your Lordships, and it was rather hard to examine him as to his motives for making the motion he did, when a reference to the minute written at the time was the best evidence to the point, and the proper evidence to have been adduced by the Managers. The debate at the Board on the subject of the letter, which the Managers contend to be an order for a further inquiry into the conduct of the Begum, sets the whole matter in so clear a point of view, that I am astonished

nished how such a charge could have been made in the name of the Commons, and not less surpris'd that it should be supported by evidence, which, in the opinion of every man of common sense, most effectually refutes it. A letter was received from the Directors in the month of August, 1783, directing, in a very confused and perplexed sentence, that if it should appear that the Begums had not taken so active a part in the rebellion of Cheyt Sing as had been reported, the Nabob should be applied to, to restore them their jaghires. The letter also says, that they do not appear to have armed prior to the revolt of Cheyt Sing, and it is probable that their subsequent conduct was occasioned by apprehensions which they also entertained of being laid under unwarrantable contributions. Your Lordships will certainly be of opinion, that it must have been under very extraordinary circumstances, indeed, that thirteen gentlemen could have been found, to put their names to a letter containing such orders and opinions. The question for an inquiry was originally moved by Mr. Wheler: he expresses his readiness at all times to obey orders; but before they apply to the Nabob, he wishes to inquire how far they merit the application for the restoration of their jaghires. Nothing had passed, Mr. Wheler says, to change his opinion, that the Begums had been concerned in the rebellion; that he had been confirmed in the belief, from the opinions of many individuals, totally unconcerned in the business; but, as the Directors seem to be of a different opinion, he thinks stronger proofs of their disaffection ought to be laid before them; and he concludes by moving, that the late and present resident be called upon to collect such proofs.

Mr. Hastings conceives Mr. Wheler to have misconceived the intentions of the Court of Directors, and therefore opposes the motion.

Mr. Stables, at the end of the next month, renews this subject, by observing, that the Directors seem not to be satisfied that the evidence sent to them had sufficiently proved the disaffection of the Begums, and therefore he moves a farther inquiry.

Mr. Hastings conceives, that they had sent no orders for an inquiry; that very strong and authenticated evidence had been sent to them already. He refers to the letter to confirm his sense of it; and he adds, "If evidence is to be collected, it should be collected from all persons capable of giving it, and not confined to official characters." Sir John Macpherson fully concurs with Mr. Hastings as to the sense of the Directors' letter; though, on first hearing the letter read, he had conceived a different opinion. He does not see what salutary purposes such an inquiry could answer; and I am sure your Lordships will agree with him. He observes, that there has been no appeal from the Begums, and there was ample proof at the time, that those who managed the concerns of the Begums were no friends, but real enemies of the English. The motion for an inquiry was wisely and properly negatived. Had Mr. Hastings conceived the possibility of what has since happened, he must have eagerly proposed, while in Bengal, a fuller inquiry into the disaffection of the Begums; and he would have weighed down the Directors by proofs of the fact; for though the case stood clear enough in my mind upon the affidavits, carelessly as those affidavits were taken, for which Mr. Hastings is not at all to blame, it has been so effectually strengthened by the

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testimony

testimony of a number of respectable officers, as to fix it beyond all doubt. The same evidence, and certainly* much more in addition to it, might have been procured in India in 1783; and, indeed, Mr. Hastings then observed, that if an inquiry were to take place, he desired that all persons capable of giving information might be examined: but, if your Lordships will look to this letter of the Directors, and to the date of it, February, 1783, you will see the spirit with which it was written, is, in a great degree, to be imputed to the politics of the time. Sir Henry Fletcher was then the chairman, and it was the fashion to rate Mr. Hastings for every thing he did. The letter sets out by saying, that they do not see the policy of resuming the jaghires, and thus uniting under one head all the power of the country, which might eventually become formidable to Bengal. Hard fate of Mr. Hastings! He is rated by the Directors for his endeavours to bring the dominions of the Nabob into order: he is censured by the Managers for having involved them in distress. The Directors, in speaking of the Begums, say, it does not appear that they took up arms prior to the revolt of Cheyt Sing, and, by arming afterwards, they only meant, in all probability, to defend themselves from unwarrantable contributions. My Lords, they never were accused of arming before the revolt of Cheyt Sing; and if they are innocent in your Lordships' opinion, as they really appear to be in the opinion of the Directors, for arming and acting against the English subsequent to that event, then there is an end of the question: but no rational being can reason so absurdly. Your Lordships will see the name of Sir Henry Fletcher at the head of the

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the thirteen gentlemen who signed the letter ; and every thing done at that period was done, in my opinion, to prove the necessity of the strong measure that was brought before Parliament in the course of that year.—I mean Mr. Fox's India Bill. There can be no other rational way of accounting for the conduct of those gentlemen who signed that letter. I have now, my Lords, gone, though at too great a length I fear, but still as shortly as I could, through the material facts alledged in the article.

The resumption of the jaghires I deem to have been a measure of the soundest policy, and the means taken to compel the Nabob ultimately to adopt a measure, proposed originally by himself, were not in any respect criminal, but meritorious, under all the circumstances of the case.

The consent given by Mr. Hastings to the seizure of the treasures, and the care which he took to secure them from private embezzlement, were acts that appear to me in no respect criminal. Upon the most attentive consideration of the whole evidence, I am decidedly of opinion, that nothing criminal has been proved against the defendant. At the close of the charge, indeed, it is stated, that all the acts imputed to him, and stated to be criminal, are highly aggravated, by the avowed corruption in which they originated ; Mr. Hastings having accepted a present of ten lacks of rupees from the Nabob, at the time he signed the treaty of Chunar. There is another article in which the receipt of this present is expressly charged, and there it will be proper to consider it fully ; as inserted in this article, it appears to be very inconsistent with the general tenor of the rest of it. In the former allegations, Mr.

Hastings

Haftings is faid to have compelled the Nabob to adopt the two meafures of refuming the treafures and the jaghires. At the clofe, the Nabob is fupposed to have bribed Mr. Haftings to give his confent to the adoption of thofe meafures.

I fhall not intrude longer on your Lordships' indulgence, but will conclude, by declaring, that though, until I hear the opinion of other noble Lords, I fhall not make any motion; yet, if no objection is made, I mean merely to move, that the Commons have made good the fecond article of the charge againft Warren Haftings, Efq.

The LORD CHANCELLOR faid, he did not object to taking the decifion on the whole charge under one queftion. In his view of the charge, he had not confidered Afoph ul Dowlah, the Nabob of Oude, as a foreign prince and independent fovereign, but as a perfon whose conduct and government were under the abfolute controul and command of the overbearing influence of the Eaft-India Company's power exercifed by Mr. Haftings. Having confidered it in this light, he fhould have occafion, in order to fhew that he had rightly viewed it, to refer to fo many letters of Mr. Middleton's that not being prepared fufficiently, it would fave their Lordships time if they were to adjourn where they then were in refpect to the charge, becaufe, if they determined to proceed, he muft neceffarily call for all the letters to be read, to which he wifhed to refer, and that would wafte much time, whereas he would undertake to be ready with fuch extracts as he fhould deem it requifite to refer to by the next day.

Lord THURLOW confented; and the Chairman having ftated that the queftion before the Committee was,

“ That

“ That the Commons had made good the charges in their second “ article, respecting the Begums,” it was moved and agreed to that he should leave the chair.

The Committee adjourned the consideration of the motion till the next day.

TUESDAY, *March 17.*

As soon as the House had resolved itself into a Committee to consider the charges of the impeachment,

The LORD CHANCELLOR rose, and began the resumption of his reply to Lord Thurlow, by admitting the proposition, that where the minister of another country prevailed on a foreign prince, who was an independent sovereign, to do an act of injustice to one of his own subjects, that minister was not criminally responsible and amenable to the laws of the government he served under for such conduct; but where, on the other hand, it was proved that the minister of a British government procured the prince of a foreign country, who was not independent, but absolutely under the influence and controul of such minister, to do an act of injustice to one of his own subjects; that minister, he contended, was clearly amenable to British laws for having done that which was in itself, in the view of British laws, illegal and criminal. The decision of the Court of Common Pleas in the case of Raphael the Armenian, and Governor Verelst, had turned entirely on that point. It was in that case proved that Sujah Dowlah, the then Nabob of Oude,

was

was under the awe and influence of Governor Verelst, and that fact led to the ultimate judgment.

His Lordship stated all the circumstances of the case,* which had been first decided against the defendant, Verelst, with 5000*l.* damages, and on the new trial, a special verdict was returned by the jury, upon which, at length, the Court decided for the plaintiff, and he obtained considerable damages. He shewed upon what ground it was that on the first trial all the judges, excepting Sir William de Grey (Chief Justice) entertained strong doubts as to the question, whether Governor Verelst, as governor of Bengal, was amenable to British laws, and to the cognizance of an English Court of Judicature, for any wrong done to another person by a foreign prince. He then traced the cause through the progress and particulars of the second trial, and declared, that the manner in which the jury had returned their verdict was such as removed from the minds of the three dissenting judges of the Court, Mr. Justice Gould, Mr. Justice Blackstone, and Mr. Justice Nares, all occasion to insist farther on their doubts. It was in consequence, as he had stated, that Governor Verelst lost the cause, and paid considerable damages; a writ of error was talked of, but no such writ was brought up to that House. The point, therefore, was legally established by the event of that cause, that the Minister of the government of India, under the sovereignty of Great Britain, was amenable to British laws, for having been the cause of a foreign Prince, confessedly under his controul, awe, and influence, having

* Tried in the Court of Common Pleas, in Guildhall, in Hilary Term, 15 Geo. III.—Vide Sir William Blackstone's Reports, Vol. II. Pages 983, 1055, 1067.

injured one of his own subjects in such a degree, as to entitle him to recover damages in an English Court of Judicature, provided that he could make out his case and prove his damages to the satisfaction of an English jury. The case of the Armenian Rafael, and Governor Verelst, to be seen in Judge Blackstone's Reports, 983, 1055, his Lordship said, was directly in point with the case alledged in the charge respecting the conduct of the Nabob to the Begums. As Sujah Dowlah was confessedly known to be subject in the whole of his conduct to the controul of Governor Verelst, so, in like manner, the reigning Nabob Asoph ul Dowlah was under the absolute controul, awe, and influence of Mr. Hastings, who was, in fact, the contriver, inventor, and in truth might reasonably be stated to be the perpetrator of all the injustice practised under the name of the Nabob on the Bhow Begum and the Begum (his mother and grandmother) and all the crimes and enormities alledged in the charge.

In order to prove the influence which Mr. Hastings had over Asoph ul Dowlah, the vassalage in which he held him, and that he suggested the measures of resuming the jaghires, which the Nabob had granted to the Begums, and seizing upon the treasures in their possession, in the zenana, he caused letters and various extracts of letters* written to Mr. Hastings by Mr. Middleton, the resident at Lucknow, in Dec. 1781, and Jan. and Feb. 1782,

to

* The following are the extracts from the letters on the subject of resuming the jaghires, and seizing upon the treasures, which passed between Mr. Middleton, the resident in Oude, and the Governor General, in December, 1781, and January and February, 1782, read by the Clerk.

to be read, and also the letter written by Mr. Hastings and his Council to the Directors at home, and that passage from his defence before the House of Commons, in which Mr. Hastings says the treasures

*Mr. Middleton to the Governor-general; dated Lucknow,
the 1st of December, 1781.*

“ I have this day signified to the minister my expectation that the whole of the jaghires be resumed, and their revenue, after paying to such of the proprietors as have a right to claim the mediation of our Government, the amount of their jaghires, be applied to the liquidation of the Nabob's debt to the Hon. Company. I shall be very glad if his Excellency consents to make this measure an act of his own, as I conceive it would be more agreeable to you, and more consistent with those appearances which it may be thought expedient to preserve with his Excellency; but if he declines it, as is by no means improbable, I shall think myself justified by your instructions in insisting on its being done even without his concurrence.”

*Mr. Middleton to the Hon. Warren Hastings; dated Lucknow,
the 6th of December, 1781.*

“ Finding the Nabob wavering in his determination about the resumption of the jaghires, I this day, in presence of, and with the minister's concurrence, ordered the necessary perwannahs to be written to the several aumils for that purpose, and it was my firm resolution to have dispatched them this evening, with proper people to see them punctually and implicitly carried into execution; but before they were all transcribed, I received a message from the Nabob, who had been informed by the minister of the resolution I had taken, entreating that I would withhold the perwannahs until to-morrow morning, when he would attend me, and afford me satisfaction on this point.”

*Mr. Middleton to the Hon. Warren Hastings; dated Lucknow,
the 7th of December, 1781.*

“ My dear Sir,

“ I had the honour to address you yesterday, informing you of the steps I had taken in regard to the resumption of the jaghires. This morning the Vizier came to me according to his agreement, but seemingly without any intention or desire to yield me satisfaction on the subject under discussion; for after a great deal of conversation, consisting on his part of trifling evasion and puerile excuses for withholding his assent to the measure, though at the same time professing the most implicit sub-

treasures were seized in consequence of the resistance made by the Begum to the resumption of her jaghire. This account was undoubtedly untrue, and it naturally excited a very considerable degree of

“ mission to your wishes, I found myself without any other resource than the one of
 “ employing that exclusive authority with which I consider your instructions to vest
 “ me ; I therefore declared to the Nabob, in presence of the minister and Mr. John-
 “ son, who, I desired, might bear witness of the conversation, that I construed his
 “ rejection of the measure proposed, as a breach of his solemn promise to you, and
 “ an unwillingness to yield that assistance which was evidently in his power, towards
 “ liquidating his heavy accumulated debt to the Company, and that I must in conse-
 “ quence determine, in my own justification, to issue immediately the perwannahs,
 “ which had only been withheld in the sanguine hope, that he would be prevailed upon
 “ to make that his own act, which nothing but the most urgent necessity could force
 “ me to make mine. He left me without any reply, but afterwards sent for his
 “ minister, and authorised him to give me hopes that my requisition would be com-
 “ plied with ; on which I expressed my satisfaction, but declared that I could admit
 “ of no farther delays, and unless I received his Excellency’s formal acquiescence
 “ before the evening, I should then most assuredly issue my perwannahs, which I have
 “ accordingly done, not having had any assurances from his Excellency that could
 “ justify a farther suspension.”

*Mr. Middleton to the Hon. Warren Hastings ; dated Lucknow,
 the 9th of December, 1781.*

“ My dear Sir,

“ I had the honour to address you on the 7th instant, informing you of the conver-
 “ sation which had passed between the Nabob and me on the subject of resuming the
 “ jaghires, and the step I had taken in consequence. His Excellency appeared to be
 “ very much hurt and incensed at the measure, and loudly complains of the treachery
 “ of his ministers : first, in giving you any hopes that such a measure would be
 “ adopted ; and secondly, in their promising me their whole support in carrying it
 “ through. But, as I apprehend, rather than suffer it to appear that the point had
 “ been carried in opposition to his will, he at length yielded a nominal acquiescence,
 “ and has this day issued his own perwannahs to that effect ; declaring, however, at
 “ the same time, both to me and his ministers, that it is an act of compulsion.”

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of fufpicion, when falfe motives were affigned for an action fo very extraordinary in its nature, as the feizure of the treafures of the mother of a fovereign prince. He faid, it appeared to him from the

*The Governor-general to Mr. Middleton; dated Benares,
the 26th of December, 1781.*

“ I have waited thus long in the hopes of hearing that fome progrefs had been
“ made in the execution of the plan which I concluded with the Nabob in September
“ laft. I do not find that any ftep towards it has been yet taken, though three
“ months are elapfed, and little more than that period did appear to me requifite to
“ have accomplished the moft effential parts of it, and to have brought the whole into
“ train. This tardinefs, and the oppofition prepared to the only decided act yet un-
“ dertaken, have a bad appearance. I approve the Nabob’s refolutions to deprive
“ the Begums of their ill-employed treafures.”

*Mr. Middleton’s private Letter to the Governor-general; dated Lucknow,
the 28th of December, 1781.*

“ If your new demand is to be infifted upon, which your letter feems to portend,
“ I muft beg your precise orders upon it; as, from the difficulties I have within thefe
“ few days experienced, in carrying the points you had enjoined with the Nabob, I
“ have the beft grounds for believing that he would confider it a direct breach of the
“ late agreement, and totally reject the propofal as fuch: and I muft own to you, that
“ in his prefent fermented ftate of mind, I could expect nothing lefs than defpair,
“ and a declared rupture.

“ The wrefling Furruckabad, Kyrague, and Fyzula Cawn’s country from his
“ government (for in that light, my dear Sir, I can faithfully affure you he views the
“ meafures adopted in refpect to thofe countries,) together *with the refumption of all the*
“ *jaghires, fo much againft his inclination*, have already brought the Nabob to a per-
“ fuafion that nothing lefs than his deftruction, or the annihilation of every fhadow
“ of his power, is meant; and all my labours to convince him to the contrary have
“ proved abortive. A fettled melancholy has feized him, and his health is reduced
“ beyond conception; and I do moft folemnly believe, that the march of four regi-
“ ments of fepoys towards Lucknow, under whatever circumftances it might be
“ reprefented, would be confidered by him as a force ultimately to be ufed in fecuring
“ his perfon. In fhort, my dear Sir, it is a matter of fuch immediate moment, and
“ involving apparently fuch very ferious and important confequences, that I have not
“ only taken upon me to fufpend the communication of it to the Nabob, until I
“ should

the letters of Mr. Middleton, that both he and Afoph ul Dowlah were reluctant to comply with Mr. Hastings's suggestion to seize on the treasures of the Begums; he said no proof had been given that the

“ should be honoured with your farther commands, but have also ventured to write
 “ the inclosed letter to Colonel Morgan—Liberties which I confidently trust you
 “ will excuse, when you consider that I can be actuated by no other motive than a
 “ zeal for the public service; and that if, after all, you determine that the measure
 “ shall be insisted on, it will be only the loss of six, or at most eight days, in pro-
 “ posing it. But, in the last event, I earnestly intreat your orders may be explicit
 “ and positive, that I may clearly know what length you would wish me to proceed,
 “ in carrying them into execution.”

*Mr. Middleton's public Letter to the Hon. Warren Hastings, Governor general, &c. &c.
 dated Lucknow, the 30th of December, 1781.*

“ For the sake of perspicuity, I have thought it best to recapitulate the several
 “ paragraphs of your letter, and arrange my answers to them respectively in the
 “ same order.

“ 2d. I have waited thus long, in
 “ hopes of hearing that some progress
 “ has been made in the execution of the
 “ plan which I concluded with the Na-
 “ bob in September last; I do not find
 “ that any step towards it has yet been
 “ taken, though three months are elapsed,
 “ and little more than that period did
 “ appear to me requisite to have accom-
 “ plished the most essential parts of it,
 “ and to have brought the whole into
 “ train. This tardiness, and the oppo-
 “ sition prepared to the only decided act
 “ yet undertaken, have a bad appear-
 “ ance.

“ In reply to the second paragraph,
 “ I beg leave to refer you to my former
 “ letters, stating the turbulent state of
 “ the country. Three months is a pe-
 “ riod in which the changes you allude
 “ to probably might have been effected
 “ in times of perfect tranquillity; but
 “ when all the districts across the Gogra
 “ were in arms, and all the jaghiredars
 “ (a very numerous and powerful body)
 “ were very little short of the same state
 “ in every district, and for the regulating
 “ and reduction of whom the aumils
 “ were principally to be applied to—
 “ could a general change or attack upon
 “ those aumils with ease have been un-
 “ dertaken? I think not; but I put
 “ this argument of the practicability or

“ 3d. I

“ im-

the Begums had actually been in rebellion. The Lord Chancellor farther observed, that at the time these compulsory measures were used towards the Nabob, his country in every part of it was filled by

“ impracticability out of the question, as
 “ it was not that consideration which
 “ prevented me from enforcing the mea-
 “ sures recommended by you to the Na-
 “ bob in the treaty; the fact is this: I
 “ did not understand, at the period of
 “ executing the agreement between you
 “ and the Vizier, that your intention
 “ was, that the whole of the reform
 “ proposed was in its fullest extent to
 “ take place this year, nor indeed at all,
 “ if the Company’s debt became liqui-
 “ dated; I conceived your interference
 “ in the Nabob’s government tended solely
 “ to establish the means of the most speedy
 “ payment possible of the Company’s debt;
 “ and that whenever this should be ac-
 “ complished, every shadow of interfe-
 “ rence was to be desisted from, which I
 “ stated to the Nabob and the ministers,
 “ and I believe upon the faith of that
 “ assurance principally was his Excel-
 “ lency’s acquiescence obtained.

“ 3d. I approve the Nabob’s resolution
 “ to deprive the Begums of their ill-
 “ employed treasures. In both services
 “ it must be your care to prevent an abuse
 “ of the powers given to those that are
 “ employed in them. You yourself
 “ ought to be personally present. You
 “ must not allow any negotiation or for-
 “ bearing, but must prosecute both ser-
 “ vices

“ To the 3d paragraph I shall only
 “ say, that I march to-morrow with the
 “ Nabob to enforce both the services you
 “ exact in it; and if I succeed, as I have
 “ the strongest reasons to hope, in ob-
 “ taining large ready money resources
 “ towards liquidating the arrears to the
 “ troops, which form a large proportion
 “ of the debt to the Company, I have
 “ not

by troops under the command of British officers and in British pay; that it was perfectly true there had been tumults and insurrections in the province adjoining to the Begum's jaghire; but these were to be

“ vices until the Begums are at the entire
 “ mercy of the Nabob, their jaghires in
 “ the quiet possession of his aumils, and
 “ their wealth in such charge as may se-
 “ cure it against private embezzlement.”

“ not a doubt of accomplishing every end
 “ you have now declared you look to the
 “ instant performance of.”

*Mr. Middleton's private Letter to the Governor-general; dated Lucknow,
 the 30th of December, 1781.*

“ My dear Sir,

“ I have this day answered your public letter, in the form you seemed to expect.
 “ I hope there is nothing in it that may appear to you too pointed. If you wish
 “ the matter to be otherwise understood than I have taken up and stated it, I need
 “ not say I shall be ready to conform to whatever you may prescribe, and to take
 “ upon myself any share of the blame of the (hitherto) non-performance of the sti-
 “ pulations made on behalf of the Nabob; though I do assure you, I myself repre-
 “ sented to his Excellency and the ministers, conceiving it to be your desire, that
 “ the apparent assumption of the reins of his government (for in that light he un-
 “ doubtedly considered it at the first view) as specified in the agreement executed by
 “ him, was not meant to be fully and literally enforced, but that it was necessary
 “ you should have something to shew on your side, as the Company were deprived
 “ of a benefit without a requital; and upon the faith of this assurance alone, I be-
 “ lieve I may safely affirm, his Excellency's objections to signing the treaty were
 “ given up. If I have understood the matter wrong, or misconceived your design,
 “ I am truly sorry for it; however, it is not too late to correct the error; and I
 “ am ready to undertake, and, God willing, to carry through, whatever you may
 “ on receipt of my public letter, tell me is your final resolve.”

*Mr. Middleton to the Hon. Warren Hastings, Governor-general, &c. &c. dated Fyzabad,
 the 13th of January, 1782.*

“ With respect to the business here, I have the honour to inform you, that yef-
 “ terday, finding that the temporising and indecisive conduct of the Nabob seemed to
 “ promise

be attributed in his opinion, to the oppressions of Colonel Hannay and his officers, not to the interference of the Begums or their cuntings; and therefore, he contended, there was no real ground for the seizing upon their treasures, and treating them in the severe and oppressive manner in which they had been treated. His Lordship concluded with declaring that, to his conviction, Mr. Hastings

“ promise an issue very different from that expected in your commands of the 26th
“ of December last.”

*Mr. Middleton to the Hon. Warren Hastings, Governor-general, &c. &c. dated Fyzabad,
the 20th of January, 1782.*

“ Sir,

“ The Begum having finally agreed to surrender to the Nabob the treasures of
“ his late father, the Nabob Sujah ul Dowlah, which she had hitherto retained in
“ her possession, his Excellency desired me to withdraw the troops from the Kella.”

*Mr. Middleton to the Hon. Warren Hastings, Governor-general, &c. &c. dated Lucknow,
the 11th of February, 1782.*

“ Sir,

“ Inclosed I have the honour to forward you addresses from his Excellency the Vi-
“ zier and his ministers. In justice to the latter, it is incumbent upon me to in-
“ form you, that during the progress of the business at Fyzabad, I received from
“ them the most willing and zealous support; and that to their exertions I consider
“ myself greatly indebted for the complete success which attended that business.”

*Extract from the Letter of the Governor-general and Council to the Court of Directors,
dated the 11th of February, 1782.*

“ In order to punish the Begum for this daring ill conduct (marching an armed
“ force to oppose the resumption of the jaghires) and to put it out of her power to
“ apply the treasures which she had amassed to the purpose of raising any further
“ commotion in the country, the Nabob resolved to seize her wealth, which by the
“ Mahomedan law he was entitled to as an inheritance from his father, who, in
“ the latter years of his life, had committed his treasury wholly to her charge, and
“ it remained with her after his death.”

ings ought not to be acquitted of the charge, but that the Managers had made it good.

The Earl of MORTON rose immediately after the Lord Chancellor, and said, he was much surprised to hear the learned Lord say, that no proofs had been given of the rebellion of the Begums. Did his Lordship lay no stress upon the strong facts stated in the affidavits, and the pointed evidence given in Westminster Hall by many very respectable officers, relative to the Begum's soldiers having been actually taken in arms at Pateeta, and the other strong circumstances, which, his Lordship said, carried complete conviction to his mind, that they took a very active part in that rebellion?

Lord THURLOW, in reply, went much at large into a circumstantial statement of the case of Rafael and Governor Verelst, from Blackstone's Reports, and declared what had been his opinion upon such a case at the time that he was Attorney General, communicated again and again to Sir Stanier Portien, the Under Secretary of State, respecting the treatment of a French subject in France, or a Spanish subject in Spain, through the interposition of this country. He denied, as a lawyer, the truth of the proposition laid down by the noble and learned Lord, respecting the Minister of the British government being legally amenable for any act of an independent foreign prince, to one of his own subjects, and contended that Asoph ul Dowlah could be considered no otherwise than as an independent sovereign prince; as such we had recognised him in all our treaties, and in all the acts of the British government in India. He sat upon the throne of Oude, and was looked up to as an independent sovereign prince. He must therefore not be deemed for

one purpose the *ostensible* Sovereign, and the *ostensible* Nabob and Vizier of Oude, and an independent Sovereign and Nabob for another. Having replied to this point, his Lordship proceeded to answer the remarks of the learned Lord. If, said he, I have succeeded in conveying to your Lordships the opinions which I entertain, I certainly did state the dependence of the Nabob upon the Bengal government as broadly as the learned Lord himself has laid it down; all I contend is this, that it was exercised, and necessarily exercised, by all preceding and successive administrations in the same manner: by the majority in the time of General Clavering, by Mr. Hastings, by Lord Cornwallis, and by Sir John Shore. Let me intreat your Lordships to look to the letter written by Mr. Hastings in the year 1777, to the Nabob. He there represents to him in the most forcible language, the absolute necessity of appointing a Naib of character, and investing him with great power: that by no other means can his affairs be brought into order. He begs him to discard the unworthy characters that surround him, and one man in particular, whom he mentions by name. What is the threat if this advice is not followed? It is this, my Lords—The English will not continue a connection with you: it will be dishonourable to them. The advice was followed. The minister recommended by Mr. Hastings was appointed. I mean Hyder Beg Khan, the other and the superior, Houssein Reza Cawn, being but a nominal minister. Hyder Beg Khan received from Mr. Hastings the strongest assurances of support as long as he continued to execute the duties which he owed to his master with fidelity, in which the interests of the Bengal government were so materially concerned. He received precisely the same assurances from Lord Cornwallis.

In other words, he was protected, both by Mr. Hastings and Lord Cornwallis, against the intrigues of those men who were the companions of the Nabob's looser hours, and without such protection he could not have held his station an hour. This minister, who in some of the articles before your Lordships is called an implacable tyrant, died while Lord Cornwallis was upon the coast in the year 1791. His Lordship, in his letters to the Directors, laments his death as a great public misfortune, both on account of his attachment to the English, and his abilities, which were professedly, his Lordship says, superior to those of any other person in the Nabob's dominions. But to shew that the influence of the Bengal government is now what it always has been over the Nabob, Lord Cornwallis writes that the Nabob had declined to appoint a prime minister, from the time of Hyder Beg's death until his Lordship's return to Bengal. It is therefore perfectly clear that the Nabob has at all times been under a similar degree of influence to the government of Bengal. The noble and learned Lord has read all that correspondence between Mr. Middleton and Sir Elijah Impey, and between Mr. Middleton and Mr. Hastings, to which I have so fully alluded, that I will not go over it again. I admit as distinctly as the noble and learned Lord can desire me to admit, that between the 19th of September and the 26th of December, 1781, the Nabob did shew an extreme unwillingness to adopt those very measures which in the month of September he appeared firmly determined to adopt. I admit that Mr. Middleton's letters prove the fact most fully. The learned Lord has also said a good deal of that private letter of Mr. Middleton, which accompanied his public letter of the 26th of December, in which he offers, if the public letter is not satisfactory,

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to alter it, so as to make it conformable to Mr. Hastings's wishes; but adding, that if he had mistaken Mr. Hastings's intentions, he was very sorry for it. He had really conceived the whole end which Mr. Hastings had in view by the treaty of Chunar was, to obtain the payment of the Nabob's debt in the shortest possible time. I am sure it must have been by mere accident that the noble and learned Lord, speaking as he does in the dignified character of a judge, had not ordered the clerk to read Mr. Hastings's answer to that letter, which was a reply to the whole series of Mr. Middleton's private letters. It is important indeed, and in my mind removes every degree of doubt and suspicion that can arise upon this article in the breast of any candid man. Mr. Hastings, in terms of strong indignation, tells Mr. Middleton, "I have been deceived: I know not
 " yet by whom." He goes on to express his surprise at the contents of Mr. Middleton's letters. "The resumption of the jag-
 " hires," says he, "though a measure to which the Nabob ori-
 " ginally solicited my consent, three months ago, is but at this
 " moment about to be commenced, and against the Nabob's inclina-
 " tion. You expect resistance. You apply to Colonel Morgan for
 " a regiment. You write to me, that unless you are much mis-
 " taken, a larger force will be necessary. Unwilling to risk the
 " reputation of our army, or to fritter away our force by detach-
 " ments, I order a larger force, and then you tell me the Nabob
 " will never be brought to consent to the measure; and Mr. John-
 " son writes to me, that it will be putting the temporary brigade
 " upon him again."—"These (says Mr. Hastings) are absolute
 " contradictions. I will not (he adds) divide the brigade at Cawn-
 " pour while the Mahrattas are on our frontier, and the peace with
 " them

“ them so recently concluded. I have written to the Nabob, (says
 “ Mr. Hastings) and do you tell him that I do not wish to interfere
 “ in his affairs against his inclinations ; but I will not sacrifice the
 “ Company’s interests to the caprice of his advisers. Let him pay
 “ the debt now due, and I will withdraw all our forces, and the
 “ resident’s office, but I will not suffer his alliance to be a clog
 “ instead of an advantage to Bengal.” “ Be cautious (he says)
 “ that the Nabob does not misconceive my letter, as bearing any
 “ expression of displeasure towards him. I think him too deceived.
 “ I wish him to regard me as his friend, and to confide both in
 “ my faith and attachment. I am willing to give him undoubted
 “ proofs of both. I will do nothing for the preservation of his
 “ interests against his will ; but I will not hazard the safety and
 “ honour of our arms, nor sacrifice the Company’s interests and
 “ rights, to the caprice of his advisers.”

He adds, that his reputation may suffer from the delays that have
 taken place, and he desires that all Mr. Middleton’s letters, in
 future, may be official, that, if necessary, he may make a public
 reference to them. It is impossible for any of your Lordships to
 read this letter without being convinced that Mr. Hastings was in
 a very high degree offended at the letter which Mr. Middleton had
 written to him ; and it is equally clear that he does not impute to
 the Nabob the delays that had taken place. The letter written by
 Mr. Hastings to the Nabob produced an immediate effect. The
 Nabob thanks him for his advice, and promises to follow it, which
 he does. Here your Lordships will also observe, that the only
 menace used by Mr. Hastings is, that the British government will
 break off all connection with the Nabob ; that they will not be
 3 involved

involved in the ruin which his obstinacy will bring upon Oude.—Mr. Middleton in his evidence imputes all this versatility in the Nabob's disposition, to the influence of his personal favourites: I have not a doubt of the fact, and am convinced from the whole tenor of the evidence, that the Nabob was induced to act as he did, not to save the jaghire of his mother, but to prevent the resumption of the jaghires of his favourites. You have it in evidence, my Lords, that as early as March, 1776, he urged his mother, through Mr. Bristow, to accept money in lieu of her jaghires, because, as he said, two rulers were too much for one country.

The noble and learned Lord surely does not mean to impress your Lordships with an idea that Mr. Hastings meant to compel the Nabob by force to resume the jaghires, or to take the treasures.—The troops under British officers had been placed in Oude at the Nabob's desire, and for the protection of his country. It never was the intention of Mr. Hastings to use force, if we may judge from all that appears in evidence. On the contrary, Mr. Hastings most expressly says, that he will not interfere in the Nabob's internal government against his consent, and that he is ready to withdraw the resident and all the troops that are in Oude, and to break off the connection between the two countries, if the Nabob desires it. I have so fully explained already the nature of the compulsion used by Mr. Hastings, that I believe your Lordships are fully convinced it is very different indeed from that sort of compulsion described by the noble and learned Lord.

The noble and learned Lord supposes that the oppressions alledged to have been committed by Colonel Hannay, were the real cause of the insurrections in September, 1781. As the Manager who sum-
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med up the evidence on this article professed to entertain the same sentiments, I was led to a very minute examination of the evidence to this particular point. But so far from finding any thing in it to justify such a conclusion, I must freely confess, my Lords, that the fact of the existence of Colonel Hannay's oppressions is by no means established—It is mere idle rumour. Mr. Holt's evidence is so very general, that I can make nothing of it. He went out a boy, between fifteen and sixteen years of age, with Sir Eyre Coote, in 1779; and in the next year he was in Barreetch and Gorrucpore. He knew nothing of the state of those countries prior to that period. He talks of seeing mud forts, and bamboo prisons, where renters were confined for their balances. He says, the country had, as he has heard, an unfavourable opinion of Colonel Hannay, and in conversation he has heard, that he was worth thirty lacks of rupees, or three hundred thousand pounds sterling.

Captain Edwards's evidence is equally loose and unsatisfactory to the point the Managers contended for. He had heard that the conduct of Colonel Hannay was oppressive, but he could speak to no particular fact. Colonel Ahmuty says, that he had heard reports of the inhabitants of Gorrucpore being much dissatisfied with Colonel Hannay; that he knows nothing of particular facts, as Gorrucpore was so distant from the place where he commanded: but, my Lords, he adds, "all the Gorrucpore district were a rebellious people, and I believe were people who never paid any revenue to the Nabob without its being very severely enforced."

In a very early period, long before Colonel Hannay went to Gorrucpore, that province was described by the British resident, as in such a state of anarchy and rebellion, that it could hardly be said to
make

make a part of the Nabob's dominions. Major Lumsdaine, who knew Colonel Hannay, and well knew the country he managed, speaks of him in very high terms. There is nothing therefore in evidence that goes to a specific fact of oppression committed by Colonel Hannay or his officers. Three of his officers, Major Lumsdaine, Captain Williams, and Captain Gordon, were examined at your Lordships' bar—Their testimony is perfectly clear, and fully proves that the British troops were opposed by forces in the Begum's pay. Major Macdonald, another officer of Colonel Hannay's, who is still in India, distinctly states in his affidavit, the hostile conduct of the eunuchs in the city of Fyzabad, and the critical situation in which he remained within fifteen miles of that city, for many days after the report of the revolt of Cheyt Sing was circulated through the country. The notoriety of the rebellion of the Begum was such, that one of the witnesses at your Lordships' bar, Captain Wade, I think, on being asked by a Manager if he was applied to make an affidavit, said, that if any one in India had called upon him for such a purpose, he should have thought they were joking.

Another point on which the noble and learned Lord has laid a considerable stress, I have really so fully explained already, that I am afraid of trespassing upon your patience by going over the ground again. The noble and learned Lord says, that it ought to excite suspicion when we find a man giving a false account of the motives of his own conduct. He says, Mr. Hastings represents to the Court of Directors, and so states it in his defence in the House of Commons, that the treasures were seized in consequence of the resistance made by the Begum to the resumption of her jaghires. My Lords,

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I admit

I admit it fully that he does so state it. But how? Mr. Middleton furnished the materials for the defence in the House of Commons, and did so represent it, though he declared also in his evidence before the House of Commons, and though he has sworn before your Lordships, that it was determined to resume the treasures before the jaghires were attacked. It is therefore beyond all question a blunder, and a blunder, as I observed before, which the Managers have allowed Mr. Hastings completely to correct, by inserting in their evidence what they call his second defence. I admit also, that the same blunder is committed in the letter to the Directors, of the 11th of February, 1782, from the Board, and that Mr. Hastings signed the letter just after his return to Calcutta. But the Board refer the Directors most particularly to all Mr. Hastings's letters, and they say, that by those it will appear that it was to punish the Begum for her daring ill-conduct in resisting the resumption of the jaghires, that the Nabob resolved to seize her treasures. Now, my Lords, in the letters of Mr. Hastings, to which the Board refer the Directors, as containing complete information, that gentleman most expressly states, that he strenuously encouraged and supported the Nabob in seizing the treasures, because the Begum had assisted Cheyt Sing during his rebellion, and so the Court of Directors fully understood it. To infer guilt therefore from a mistake of Mr. Middleton, or from the inaccuracy of the secretary, in the wording of a general letter, is what, I am sure, from the justice and honour of your Lordships, you never will do.

Upon the whole, my Lords, I do declare to you upon my honour, that after the fullest investigation of every allegation in this article, and comparing each most carefully with the evidence

adduced in support of it, I am decidedly of opinion that Mr. Hastings ought to be acquitted of every part of the charge. Your Lordships will consider *quo animo* the acts were done, which are alledged to be criminal ; and I think you will agree with me, that Mr. Hastings acted highly meritoriously in every part of his conduct relative to Oude.

The LORD CHANCELLOR said, it did appear to him that the Nabob shewed an unwillingness to resume the treasures and the jaghires of his mother ; that as so much therefore of the charge was in his opinion made out, he could not conscientiously acquit Mr. Hastings of all blame, though he was not guilty of the other parts of the charge ; but what he had said was merely to justify his own vote, and not from a view or an expectation of influencing the judgment of any one of their Lordships.

The Bishop of ROCHESTER said, he could not give a conscientious vote of *Not-Content* to the question upon the proposition agreed to by both the noble and learned Lords, that the minister of one country was not amenable to the laws of that country, if he procured an independent foreign prince to do an act of injustice to one of that foreign prince's subjects. Justice, in the eye of reason and morality, was due to every individual, whether the subject of a despotic prince or a free government. He quoted the writers on the *jus gentium*, and in particular *Grotius*, to support his argument on that point. He then referred to his own notes of the evidence, to prove that the treasures in possession of the Bhow Begum were, excepting one eighth (which by the laws and customs of Mahomedans were her property, as the widow of Sujah Dowlah) the actual property of the reigning Nabob, Asoph ul Dowla. His Lordship

said, that the treaty, as it was called, of 1775, was actually usurious, and would have been set aside on that ground by any court of law in Westminster Hall. The resumption of the jaghires was, in his opinion, a measure of sound policy, and the only measure that could afford a chance of restoring order to so distracted a government as Oude. Whether the measure of seizing the treasures originated from the Nabob or from Mr. Hastings, made no sort of alteration, according to his view of the question. They had clearly forfeited their right to them. His Lordship then, from his notes, read extracts from some of the affidavits, and from the evidence given in Westminster Hall by Colonel Popham, Lieutenant Wade, Lieutenant Birrel, Captain Symes, Captain Grey, Mr. Shulldham, Captain Gordon, Captain Williams, and other gentlemen, which contained, in his opinion, a body of proof not to be resisted. No doubt could remain as to the rebellious conduct of the Begums, acting in the only way they could act, through their agents. To take it on another ground, and that the strongest possible—the Nabob owed the Company a large debt: Mr. Hastings, as Governor General, stood in the situation of the Nabob's principal creditor; he knew that the Nabob had sufficient to pay it in the hand of a third person, and he compelled the Nabob to take that property, so unjustly held from him, and apply it to the discharge of his debt to the Company among others. What was there illegal or unfair in a creditor's pursuing such a line of conduct? The acts therefore were justifiable without resorting to the plea of necessity; but the necessity had been proved in the clearest manner; and his Lordship had no hesitation in saying, that Mr. Hastings saved India by the

measure which he adopted in Oude, subsequent to the treaty of Chunar.

The question was then put, on Lord Thurlow's motion. The *Not-Contents* were declared to have it, and the whole charge was negatived by one vote.—Adjourned.

FRIDAY, *March 20,*

The House resolved itself into a Committee at half past three this day, when

Lord THURLOW rose to lay before their Lordships the evidence as it appeared to him to apply to the charge of presents, stated by the Commons to have been received corruptly by Mr. Hastings in some instances, and in others in breach of an act of Parliament. His Lordship said, that long before the return of Mr. Hastings to Great Britain, he certainly had formed a very high opinion both of his talents and of his successful exertions in the public service, during his very long administration; and he had fully declared his opinion of this gentleman's character to their Lordships many years ago. He had met with nothing, on a closer review of the particular measures of his administration, to induce him to change that opinion. But he confessed that he looked upon the charge now before their Lordships as one which in all its parts deserved their most mature and careful examination. He freely admitted also that he disliked presents; when offered as benevolences from persons of inferior stations to princes (and in that character Mr. Hastings certainly moved while in India,) they often merited the name
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of extortion ; when tendered as presents, they generally meant corruption. But at the same time that he called upon their Lordships to sift the evidence to the bottom, it was not necessary in such a court, to caution them as judges to dismiss from their remembrance all that they had heard that was extraneous both to the evidence and the charge. Inferences were not to be received, and he was sure they would not be received by their Lordships as substitutes for proof. It had been often remarked, that if it were possible to sift this business of the presents, or if the evidence offered had been admitted, much more would have been discovered than has yet been brought to light. These observations were not to be attended to. Evidence to every point in charge had been fully admitted, and in no one instance rejected. Their Lordships would not be biased by the remark so often repeated, that Mr. Hastings might have received many more presents than those which are noticed in the charge. No : the Court would determine by the evidence, and by those inferences only which were fairly to be concluded from it. They were bound to believe, as the fact undoubtedly was, that by the industry of the prosecutors, and by the attention of the defendant's counsel, the whole truth was fully and completely before them.

The article, entitled presents, was divided into two parts, and the first clause in the charge applied to the present last received ; yet the Commons had very properly pursued a different mode in bringing the subject before their Lordships. One year (1789) was employed by their Lordships in receiving evidence as to the presents alleged to have been taken corruptly in the years 1772, 1773, and 1774.

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The next year of the trial (1790) was employed in adducing evidence to prove the receipt of presents in the years 1780, 1781, 1782, and 1783; that is, the presents for which Mr. Hastings has accounted to the Company: so that, in the intermediate period of six years, it is not charged that Mr. Hastings received any present whatever. In the first period, that is, between 1772 and 1774, Mr. Hastings is charged with receiving three lacks and fifty-four thousand rupees, as bribes for certain appointments which he made at Moorsshedabad in 1772. He is also charged with receiving four lacks and forty-four thousand rupees from the Ranee Bowannee, who is the female zemindar of Radshace, and with appropriating to his own use forty thousand rupees a year, from the salary of the phoufdar of Houghly. Your Lordships will observe that he is supposed to have taken all this money in the strongest sense of the words, *most corruptly*; as bribes or brokage for appointments to offices.

The sums taken at the latter period I shall now but barely mention, because they will require a separate consideration entirely.—The first sum was the two lacks taken from Cheyt Sing in 1780, which, by the mode of its being entered upon the public accounts, did appear to be the property of Mr. Hastings. Whether, from circumstances which I shall not now go into, that sum was not so disclosed as to make it *bona fide* the Company's money the instant he took it, will be for your Lordships hereafter to determine.

The next is a receipt of two lacks from Patna, entered under the head of Durbar charges, and received in April, 1781.

The next is a sum of fifty-eight thousand rupees, entered also as Durbar charges, and it is followed by the large present of one hundred

dred thousand pounds, received from the Nabob Vizier by bills in 1781, which bills were not fully paid until March 1782. These sums were also entered under the head of Durbar charges. By being so entered, they immediately became the property of the East-India Company, and were open to any sort of investigation abroad or in England. Your Lordships will at once see that these charges involve a very different case from the former. I shall not go into them at present.

The last is the present from Nobkissen, which being in some measure different from the three preceding articles, will require a separate consideration also.

At the present moment, my Lords, I shall entirely confine my observations to the evidence which applies to the case of the presents alledged to have been received in the years 1772, 1773, and 1774, that is, to the presents which Mr. Hastings is charged to have received for corrupt appointments to offices in Bengal, by which he added nearly one hundred thousand pounds to his private fortune. I will confess to you, my Lords, that when a charge of this very serious nature was preferred by so great a body as the House of Commons, I conceived it to be most important indeed; I believed that those who framed the charge were prepared to support it by some strong evidence that had recently been discovered. Your Lordships all know, that the Legislature has often re-appointed Mr. Hastings to the high office of Governor General of Bengal subsequent to the period when the matter which forms this part of the charge of presents, had been very fully discussed in England. Your Lordships all know that in the year 1773, the minister of that day held up Mr. Hastings to the view of the House of Commons as a
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man who was proof against that sort of temptation, which a very great character had publicly said the most virtuous man was not able to resist. It is nearly nineteen years ago since I was called upon in another situation to consider, and to give my opinion on one of the material points in the charge now under your Lordships' consideration. I did not therefore conceive, that facts which at that period were not deemed worthy of public inquiry, would, after the lapse of so many years, have been thought matter fit for impeachment, unless, which I supposed to be the case, some strong and decisive evidence on the points alluded to, had been discovered. In that case, I should have held the argument often urged, that twenty years had elapsed since the whole case had been referred to England, to have been fallacious and nugatory. No distance of time, no public service, no parliamentary appointments, ought to screen a man from punishment, who, charged with the government of an empire, has taken bribes for official appointments. I have therefore, my Lords, looked with all the diligence in my power, through the evidence which has been given in support of this charge.

With respect to the Ranee Bowannee, from whom Mr. Hastings is accused of having received the large sum of forty-four thousand pounds sterling, there certainly is not one tittle of evidence to support the charge, nor can I find even the name of this person mentioned in any part of the evidence. No evidence has been offered to support another allegation. Mr. Hastings is charged with receiving four thousand pounds a year from the salary of Khan Jehan Khan, who was phoustdar of Houghly ; but there is no evidence offered to support the charge, and consequently, on both these allegations Mr. Hastings must be acquitted.

The only remaining charge is, that in the year 1772, Mr. Hastings corruptly received three lacks and fifty-four thousand rupees, nearly forty thousand pounds, from Nundcomar and Muny Begum, for appointing the son of the former Duan, and the latter guardian to the Nabob of Bengal.

Your Lordships will recollect, that one whole year was employed in Westminster Hall in this part of the charge; I will endeavour, therefore, as shortly as I am able, to lay before your Lordships the result of the evidence upon it, as it strikes my mind.

In the month of May, 1765, Lord Clive arrived in Bengal, and brought with him positive directions to enforce the execution of certain covenants which the Directors had ordered their servants to enter into. By those covenants every man was bound not to receive more than one thousand rupees from any prince, or native of India, without the consent of the Council, nor above four thousand rupees without the consent of the Directors. The Company, as the charge asserts, adopted this measure in consequence of the extortions that had been practised under the plea of receiving presents; and, my Lords, it is a singular fact, that, after all the laudable industry exerted in the year 1772, by a Committee of the House of Commons to discover the persons who had received presents at the two great revolutions in Bengal, it did not appear that any present was received by Mr. Hastings, though he had been confidentially employed both by Lord Clive and Mr. Vansittart. In addition to the covenants, Lord Clive, in the month of September, 1766, proposed that every governor should take a solemn oath at the mayor's court in Calcutta, that he would not take a present for himself beyond the amount specified in his covenant. He gave to a governor one and one-

eighth per cent. commission on the revenues. He took the oath himself. Mr. Verelst, who succeeded him in January, 1767, took it also. But the Directors made a new arrangement, and gave the governor thirty-one out of one hundred shares, in a commission of two and a half per cent. on the revenues. This totally changed the nature of the oath. Mr. Cartier succeeded Mr. Verelst in January, 1770. He did not take the oath, and in April, 1772, when Mr. Hastings succeeded Mr. Cartier, the oath itself was become obsolete, which was the expression used by a witness at your bar. It is therefore highly probable that Mr. Hastings, who was in England during the government of Lord Clive, and afterwards at Madras, had never heard of this oath. The Managers, I think, wasted a great deal of time, and very unnecessarily, on this subject, in order to convince your Lordships, that Mr. Hastings had predetermined to do all those corrupt acts which they charge him with having done, and therefore evaded taking the oath. Now, my Lords, I really think that any man who could commit the crimes alledged against Mr. Hastings, would hardly hesitate a moment to add the crime of perjury to the catalogue.

Lord Clive acquired for the Company, as your Lordships well know, the Dewannee of Bengal in 1765. It was his policy to draw what advantages he could from this grant through the medium of a double government. In other words, he not only preserved all the Mahomedan forms, but he actually committed to Mahomed Reza Cawn the entire management of the revenues, and the administration of civil and criminal justice to the people. The British government protected the country by its army, and received into the treasury the public revenues that remained after paying twenty-

fix lacks a year to the Mogul, fifty-three lacks to the Nabob, and twelve lacks to his minister, Mahomed Reza Cawn, who enjoyed the high title of Naib Soubah. It was the earnest and pressing advice of Lord Clive both to his successor, Mr. Verelst, and to the Directors, that this system should remain entire in all its parts. He conceived that the intricacies in an Indian system of finance were not to be unravelled by Europeans, and that the form of the double government was necessary to keep down the jealousy of foreign nations.

This system continued from 1765 until 1772; your Lordships well know, that from various causes the promises of Lord Clive were not realized, and, in fact, instead of Bengal yielding a balance of a million sterling a year in favour of Great Britain, the income barely sufficed to meet the expenditure. Under these peculiar circumstances, my Lords, was Mr. Hastings appointed to govern Bengal. Three or four days after he became governor, in April, 1772, orders of a very important nature were received from the Directors, and your Lordships will see that this detail is necessary to the complete knowledge of the case, because the present charge originated from the manner in which Mr. Hastings executed those orders.

He was directed, in concert with his council, to destroy the whole fabric of the double government. He was to collect the revenues, through the agency of the Company's servants. In short, my Lords, he was to form a system for the government of Bengal, under instructions so general, that I may fairly say, the whole plan was left to his judgment and discretion.

In addition to these orders, which necessarily involved the dismissal of Mahomed Reza Cawn from his office of Naib Soubah, a letter was written to Mr. Hastings himself, and which in the

event of his death was not to be opened by any other person, directing him immediately to issue orders for seizing the person of Mahomed Reza Cawn, his family and dependents. He was farther directed to order him to Calcutta, and to try him, on the charges of having embezzled the public revenues, for monopolizing rice during the famine, and for leaving a balance unpaid, from the time of his having been the renter of the province of Dacca.

Mr. Hastings was farther directed to employ Nundcomar in detecting the mal-practices of Mahomed Reza Cawn, and to afford him the degree of countenance necessary to effect this purpose. The Directors add, they were confident, that the perfect knowledge Mr. Hastings had of the man's character, would prevent him from giving him any improper degree of power.

In the execution of these severe orders, Mr. Hastings appears to have acted with every possible degree of tenderness and humanity. He wrote himself to Mahomed Reza Cawn, expressing his concern for his situation; and to the gentleman who was entrusted with the charge of taking him prisoner, he recommended every kindness and attention that could be shewn to him, consistent with the literal and strict obedience of the orders. Mahomed Reza Cawn was brought down to Calcutta. Nundcomar was employed by Mr. Hastings; but the infamous means to which he resorted in order to convict Mahomed Reza Cawn, were so apparent, that Mr. Hastings tells the Directors his own character had suffered, he was afraid, by the support which he had given to Nundcomar; but he adds, to your wishes I have sacrificed my own feelings. In the end, my Lords, Mahomed Reza Cawn was fully acquitted; and though your Lordships have heard Mr. Hastings accused in Westminster Hall of treat-
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ing him with harshness and injustice, Mahomed Reza Cawn himself was sensible, as appears by the evidence, that he owed his honour and his life to the justice and impartiality of Mr. Hastings.

I will now state to your Lordships the plan adopted by Mr. Hastings for the future government of Bengal, in the adoption of which he provided for the son of Nundcomar, and exposed himself to the present accusation. It was determined that a Committee of the Council should proceed to Moorshedabad; Mr. Hastings was president of that Committee; he left Calcutta in May, and returned in September, having been about two months and a half at Moorshedabad. During his absence, he formed an arrangement, new in all its parts. The lands were let on leases of five years. Courts of justice were established throughout the provinces; the seat of government was removed to Calcutta, with all the necessary offices, the records, &c. In short, in every measure taken by Mr. Hastings, he appears to have acted systematically, and with a view of convincing the natives that the Governor and Council of Bengal would in future manage all the details of government. In the course of the various discussions which necessarily employed Mr. Hastings and his Committee, they were to consider in what manner they were to obey the orders which the Directors had sent them, for appointing another minister in the room of Mahomed Reza Cawn. The Directors had conceived such an appointment to be necessary, as well for transacting occasional business with the Nabob, as to be the medium of communication with the French, Dutch, and Danish governments in Bengal. After a very mature deliberation, and well considering how far a literal execution of these orders would derange the new system of things, Mr. Hastings determined,

terminated, and with very great propriety, I think, to disobey them ; and so far the Managers have made good their charge. He observed, that if any single minister was to be appointed, with a salary of three lacks of rupees a year, which was the order, it would convey an idea to the natives, that the office of Naib Soubah still subsisted : that it was unnecessary for the mere purpose of being the channel of communication with foreign nations ; and therefore he determined to divide this salary amongst three persons. Muny Begum, the widow of Meer Jaffier, was appointed guardian of the young Nabob, and superintendant of his household ; Goordafs, the son of Nundcomar, was appointed Duan ; and Rajabullub, Roy Rayan of the Khalsa. The Board fully approved of two of the appointments : but, ignorant of the motives which induced Mr. Hastings to propose Rajah Goordafs, they opposed his appointment, on account of the notoriously infamous character of his father Nundcomar. The majority, however, concurred with Mr. Hastings, and all the appointments were confirmed. The charge goes upon an idea, that Muny Begum was really intrusted with great power in the government of the country, and she is described in it as a person wholly unfit to govern the Nabob's dominions. The Manager who opened the charge so argued it too ; but, my Lords, the whole evidence proves the truth of Mr. Hastings's assertion when the appointment took place, that in fact she would have no authority beyond the walls of the zenana. She applied to him for certain privileges heretofore enjoyed by the person acting as guardian to the Nabob. By allowing them, Mr. Hastings would have given her some power, and, in language perfectly polite, he declined compliance with any of her requests. In his letter to the Directors, Mr. Hastings fully explains

explains his reasons for all his actions: he tells the Directors, that the uncle of the Nabob was the only person who could have had a superior claim to Muny Begum to the appointment in question, and his reasons for preferring the Begum are so clear, and indeed so unanswerable, that I am confident every one of your Lordships will be convinced of the perfect propriety of his conduct. As soon as the Directors had received an account from Mr. Hastings, of the various transactions which were crowded into the first six months of his administration, they sent him a letter of thanks, and expressed their complete approbation of all he had done, adding particularly, that they fully approved the appointment of Muny Begum. Your Lordships therefore will consider, that though the Commons have proved that Mr. Hastings disobeyed the Company's orders, it is proved also, that in their opinion he had considerably improved upon the plan, which they had prescribed.

The arrangements thus approved were submitted to the inspection of Parliament in 1773, and to the Minister of that day they appeared to do Mr. Hastings so much credit, that he proposed to nominate him the first Governor General of Bengal, under the regulating act of that year. The new government took place in Bengal in October, 1774; and your Lordships have it in evidence, that the first three months were spent in discussing the political measures which Mr. Hastings had adopted in that and the preceding year. The unfortunate dissensions in the Council began, in fact, on the second day that the Board assembled.

But it was not until the month of March, 1775, that any measure was brought forward which pointed at the private character of Mr. Hastings. On the 11th of that month, a letter was brought to the

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the Board by Mr. Francis, which he said was delivered to him publicly by Nundcomar, who required him, as a counsellor of the State, to deliver it to the Board. Your Lordships have all read the letter, and a more extraordinary or a more insolent production never appeared undoubtedly, nor one which carried falsehood upon the face of it more strongly. After stating his services; the promises which Mr. Hastings had made to him, to induce him to discover the embezzlements of Mahomed Reza Cawn, which he says amounted to nearly three millions sterling; the breach of Mr. Hastings's promises; the enmity which he had since shewn him, and which he avows to be his motive for what he is going to relate; he strongly insinuates that Mr. Hastings had received immense sums from Mahomed Reza Cawn, Sittabroy, and others. He adds, "Having so far written generally, I now come to particulars,"—and then he states, that at various times in the year 1772, Mr. Hastings had received the sum of three lacks and fifty-four thousand rupees from himself, his son Goordas, and Muny Begum, in consideration of making the appointments which I have already mentioned to your Lordships. After the letter had been read through, the Board adjourned, Mr. Hastings having very properly, in my mind, observed upon the singular circumstance of a member of the government presenting such a letter to the Council.

At their next meeting another letter was sent in by Nundcomar, desiring to be confronted with Mr. Hastings, and to bring proofs of his charges before the Board. In the same letter he tells the Board that he had warned former governors of the consequences of attending to their own interest, and not to that of the Company. My Lords, it is impossible to read such a letter, and the proceedings which fol-

lowed, without admitting that there was at least much indiscretion in the conduct of the majority, who wished to call Nundcomar before them. Mr. Hastings declared that he would not sit at that Board, the first British subject in India, to be confronted with such a miscreant as Nundcomar; that the proposition was made with a view to insult, to degrade him, and to proclaim the annihilation of his power to all Hindostan; but he added, which is very material for your Lordships to consider, that in a Committee of the Board, they might hear all that Nundcomar had to say, and they might institute any process they pleased. The Board persisted, and Mr. Hastings declared the Council dissolved.

Here, my Lords, the evidence ends. What passed after Mr. Hastings had dissolved the Council, your Lordships, as judges, cannot know, except in so far as the proceedings are alluded to in those letters from Mr. Hastings and the majority to the Company, which are in evidence. But as the whole is entered in the Appendix to your Lordships' Minutes, I may fairly be allowed to mention, that all the information given by Nundcomar to the majority was submitted to the law officers of the Company in Bengal, who did not recommend any prosecution in India, but advised the Board to transmit every paper, and all the evidence, to the Company, who might, if the matter were worthy of their notice, file a bill against Mr. Hastings, and compel a discovery. These documents arrived at a time when it certainly was the anxious wish of the minister to take any fair and reasonable ground he could for the removal of Mr. Hastings. The papers were all submitted to the law officers of the Company, who declared that the information of Nundcomar, even upon the *ex parte* case before them, could not possibly be true. The

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reasons for that belief were assigned at length: the Directors, though a majority of them were very well disposed to oblige the minister, concurred with their law officers, and all that rubbish and trash remained unnoticed from 1776 to the year 1789; when, as your Lordships know, it was repeatedly pressed upon you by the Managers, as containing proofs of the corruption of Mr. Hastings, and it was very properly rejected by the court. It was never pretended by the Managers that they had evidence to go a step beyond this rejected information of Nundcomar: and here, my Lords, I cannot avoid saying—hard fate of Mr. Hastings!!!—The gentlemen of the majority were so indiscreet, so far I think I may say, as to write to the Directors in March, 1775, that though Mr. Hastings then called Nundcomar a miscreant, he had been high in his confidence, and closely connected with him before their arrival: I say it was indiscreet, my Lords, to send such intelligence to the body, in obedience to whose commands alone it was owing that Nundcomar was employed at all, or even admitted into the presence of Mr. Hastings. To send such a letter to a body, who had been told by Mr. Hastings above a year before, that he had every thing to expect from the malignity and disappointed ambition of Nundcomar, who had hoped to rise on the ruin of Mahomed Reza Cawn, was indeed extraordinary; placed as Mr. Hastings was by the Directors in the sacred character of a judge, he took every possible means to determine fairly and justly on the accusations against Mahomed Reza Cawn. The acquittal gave general satisfaction, though Nundcomar presumed to say, that he imputed it to the basest corruption.

I now come, my Lords, to the next point in this charge, on which your Lordships must decide: it is fully proved—Mr. Hastings himself never denied the fact—I mean the receipt of a lack and a half of rupees for *zeafut*, a Persian word for entertainment, which was paid to Mr. Hastings from the treasury of the Nabob of Bengal, and entered on the public accounts of his treasury in the year 1772.

It is necessary to state the circumstances which led to the discussion of this subject; they are curious, and shew the unhappy spirit which prevailed at the time in the Supreme Council. In the month of May, 1775, a man employed in the treasury by the Begum brought a number of accounts to an English gentleman, and by those, he said, it would appear that part of the Nabob's money for many years past had been embezzled. The information having been given to the Supreme Council, they immediately divested the Begum of her appointment, and deputed Mr. Goring to Moorshedabad, to seize all her papers, containing the accounts of the Nabob's expenditure from the year 1764 to 1772. This gentleman was to deliver over the accounts, after he had seized them, to three commissioners. Soon after his arrival at Moorshedabad, he sent a letter of two lines to the Board, inclosing a written declaration from the Begum, that she had paid a lack and a half of rupees to Mr. Hastings. His conduct, on the receipt of this information, was exactly what any man would have held. He expresses his surprise that Mr. Goring, who was entrusted with a limited commission, and that commission not to examine accounts, but to deliver them to others, should have selected this item for transmission; he desires the Begum to be asked if the sum was paid by agreement, by application from him, or in consequence of established usage and custom? The answer is clear and

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and decisive. Every governor, she says, coming to Moorshedabad, received two thousand rupees a day in lieu of provisions ; beyond that she had not given a single cowrie, and every payment would appear upon the record. Now, my Lords, as the record alluded to was in the possession of Mr. Goring, and was to undergo a close inspection by three commissioners, it is absolutely impossible to believe that Mr. Hastings did receive any other sum, beyond that which he never for a moment denied that he had received. Mr. Goring speaks out fully, and with great sincerity explains the business. Mr. Hastings had requested that he might be desired to account for so partial a selection. Mr. Goring, in reply, on the 3d of June, said, the Begum gave the account, on being earnestly pressed by him to shew how the deficiency arose. He humbly begs pardon of the Board if he has exceeded his duty ; but adds, “ The
 “ extraordinary confidence you were pleased to repose in me, and
 “ the unlimited power attending it, moved me to exert myself to
 “ the utmost, that the intent of my appointment might not be en-
 “ tirely fruitless.”

Now, my Lords, after this frank and plain declaration, your Lordships must all be convinced that the real object of Mr. Goring's appointment was to obtain for the majority a full account of all the sums which Mr. Hastings had received at Moorshedabad ; and that his ostensible appointment was a mere cover to conceal the real object of his mission. Your Lordships must also be fully satisfied that the only sum which Mr. Hastings did receive, was two thousand rupees a day, for zeafut or entertainment, agreeably to established usage. The Managers affirm in the charge, and have so argued it, that this was a sum received for an appointment to office, and if it were so received,
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it is a crime of a most serious nature, deserving the marked condemnation of your Lordships. But I cannot find one line of evidence in the prosecution which invalidates the declaration of the Begum, that it was given agreeably to established usage.

Colonel Monson says, he has heard that it has been an established usage for persons of distinguished rank, when resident at the courts of eastern princes, to have large sums of money paid them for their table expences; that Mr. Hastings can satisfy the Directors whether he did so receive this sum, or whether he has charged his expences to the Company while he was at Moorshedabad.

Now, my Lords, the Managers have given evidence to prove that the travelling expences of Mr. Hastings and his suite to and from Calcutta were paid; the whole amount does not exceed three thousand pounds; and there is also a general charge for the Committee of Circuit, which cannot be applicable to Mr. Hastings. It is perfectly clear, therefore, that the expences of Mr. Hastings while at Moorshedabad were not defrayed by the Company. The evidence for the defendant carries the matter but one step farther. It relies on the Begum's declaration that all governors received a similar allowance, and the counsel proved, that as often as the Nabob was in Calcutta, he received from the Company one thousand rupees a day for *zeafut*. But in the evidence in reply, the Managers for the Commons fairly and candidly, and much to their honour, produced evidence which the counsel of the defendant, with all their industry, had not been able to discover. The auditor of the India House being called by the Managers, read from a book of public accounts, a statement of the allowances made to Lord Clive first, and next to Mr. Verelst, when they were at Moorshedabad as governor; and

no doubt, therefore, can remain as to the truth of the Begum's declaration, that every governor, while at Moorshedabad, received the same allowance as Mr. Hastings. With this body of evidence before you, I do not believe that any one of your Lordships will think that the Commons have made good any part of the charge of presents, stated to have been corruptly received in the years 1772, 1773, and 1774. The payment now in question is expressly charged to be a bribe. The evidence certainly disproves the charge. But the Commons have given evidence to shew the partiality of Mr. Hastings towards the Begum, from whence they would infer some corrupt understanding between them. It no where appears in the evidence that she had embezzled any part of the Nabob's money. All will appear, she says, upon the records, and she seems to be completely justified. Your Lordships heard, and with much pain, I am sure, a great deal of coarse invective uttered against this lady. She was described as a dancing girl—a common prostitute—a dealer in spirits; and many other epithets were applied to her, which I shall not enumerate; but I certainly have taken some pains to trace, as far as I could, both from the evidence and the history of the times, the real situation of this lady. I find that the only authority on which she has been called a dancing girl by the Manager, is a letter written from a man of the name of Nuned Roy to General Clavering, in which he tells the General, “Every day's news is “transmitted to you”—and then he incloses a paper, which contains what he calls the history of Muny Begum; stating that her mother being poor, she sold her to a mistress of dancing girls; that she came to Moorshedabad, danced before Meer Jaffier, who took her to his house, where she became the mother of the Nabob Nud-jum.

jum ul Dowlah. Here the story ends. This young Nabob died in 1766, above the age of twenty; so that, if credit is to be given to any part of the intelligence of Nuned Roy, Muny Begum has been at least half a century in a very elevated situation. She was a woman of high rank when we were mere merchants in Bengal. Lord Clive describes her so far back as 1765, as the widow of Meer Jaffier, and upon the credit of her testimony he received a legacy of five lacks of rupees, as a bequest from her late husband Meer Jaffier, which the noble Lord appropriated as a fund for the half pay of the Company's officers and soldiers. In her testimony she states that Meer Jaffier, her husband, had expressly directed her to pay this money to Lord Clive on his arrival in Bengal, and, after receiving her own settlement, to disburse the remainder in the manner he had directed. Your Lordships will find this transaction fully detailed in one of the Reports of the House of Commons.

It appears from the evidence, that in 1771, Mahomed Reza Cawn, giving an account to the governor of the wives of Meer Jaffier, represents the deceased mother of Meeran as the first and most respected amongst them. He then mentions Muny Begum as the next; but her son, who was Nabob of Bengal, being dead, and the mother of the reigning Nabob still alive, it was proper, in Mahomed Reza Cawn's opinion, that these two ladies should be deemed of equal rank. Your Lordships see by the evidence in what light she was esteemed by Mr. Hastings and his Council.—The Directors ordered her to be dismissed from the office, to which Mr. Hastings re-appointed her, at the express application of the Nabob in 1778. She was accordingly removed in 1780; and the next evidence respecting her, is a letter from Mr. Hastings to the
Directors,

Directors, dated in November, 1783, inclosing a representation from the Begum of the situation which she had filled, the respect in which she had been held in Bengal for so many years, and the hardships which she had sustained in consequence of the unfortunate differences in the Supreme Council. If your Lordships, from curiosity, should be inclined to peruse this letter, you will find it in page 1092 of the evidence. It was produced by the Managers ; and a more temperate, affecting, and dignified letter I never read. It proves that, whatever situation she may have filled in her very early life, if it be true that her origin was low, she was well calculated to sustain with the utmost decorum and propriety the high rank to which she had been elevated by Meer Jaffier. Time having softened those prejudices by which this lady had so severely suffered, the Court of Directors, with a humanity and a sense of justice which well became them, referred this representation to Lord Cornwallis, from a conviction that the noble Marquis would determine upon the merits of this lady with the strictest impartiality ; and accordingly, my Lords, it appears in evidence, that a pension was settled upon her of ten thousand rupees a month, about twelve thousand pounds a year ; which was within a mere trifle of the extent of her request. Thus, my Lords, has this lady received some compensation for the injuries which she had formerly sustained ; and after having held the rank of the first woman in Bengal for near forty years, the wife of one prince, the mother of another, and the guardian of two other princes ; after having seen her husband the absolute sovereign of Bengal, and the family of her husband originally receiving fifty-three lacks of rupees a year, which has now been brought down to sixteen ; she will at least have the

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satisfaction,

satisfaction, in her latter days, of being relieved from every apprehension of personal wants, or personal indignities. Your Lordships, I hope, will excuse me for having detained you so long on this part of the case. You will recollect that the Commons deemed it so weighty and important, that they employed four days in opening it in Westminster Hall. I have examined all the evidence with the utmost attention of which I am capable, and I am convinced that it is absolutely impossible for your Lordships to determine that the Commons have made good any part of the charge. The lack and a half of rupees, it is clear, was not received as a bribe for an appointment to office; consequently it is not that crime which the Commons charge. It was a compliance with an established usage, and would have been received equally, if no arrangement had been made in 1772. I have been the more particular also, my Lords, in summing up all the evidence in this case, because the Manager (Mr. Fox) who replied on this charge, and of whose acuteness and abilities I have a very high opinion, professed himself to be convinced that the Commons had proved the charge of corruption in this instance most completely. I will not detain your Lordships longer than to move, “ That the Commons have made good the
 “ sixth article, as far as it relates to a corrupt receipt of three lacks
 “ and fifty-four thousand rupees in the year 1772.”

The LORD CHANCELLOR said, he should detain their Lordships but a very few moments, not meaning to go into the circumstantial detail that the Committee had heard so ably stated by the noble and learned Lord. He was perfectly ready to admit that the Commons had totally failed in making good any part of the charge, except the receipt of the lack and a half of rupees, which

Mr.

Mr. Hastings had admitted to be true ; and even though the fact of his having received the lack and a half was proved, yet there certainly was no proof that Mr. Hastings had received it as a consideration for an appointment to office, which he concurred with the learned Lord in thinking would have been a crime of a very heavy nature indeed. He was induced to think that if this article had stood alone, the Commons would not have charged it. It was mixed with others, of which, under their Lordships' rules, no evidence could be given. It had been distinctly proved by the Managers, that it was usual for governors to receive two thousand rupees a day while at Moorshedabad ; and the money paid first to Lord Clive, and next to Mr. Verelst on the same account, was in evidence. As there was no ground therefore to believe that Mr. Hastings had prolonged his stay one day at Moorshedabad with a view of putting two thousand rupees in his pocket, he certainly should concur with the noble and learned Lord ; but he confidently hoped that this practice, which however custom might have justified in some degree, no longer obtained in India. He would propose, in preference to the learned Lord's motion, to put it, That the Commons had made good the sixth article, as far as it related to a corrupt receipt of presents in the year 1772, 1773, and 1774.

Lord THURLOW consented to the amendment. The motion was put, and negatived, *nemine dissentiente*.

MONDAY, *March 23.*

The House being resolved into a Committee,

Lord THURLOW immediately rose, to state to their Lordships the nature of the second division of the charge of presents, and to adduce the evidence which had been given upon it, by the Managers and the defendant's counsel.

He observed, that the last day on which the Committee sat, their Lordships had determined, *nemine dissente*, that the Commons had not made good the first branch of this charge, namely, the receipt of considerable presents, for brokage and bribes for the sale of offices, the most odious and disgraceful species of corruption that could be charged against a public man.

The present accusation, said Lord Thurlow, is in its nature very materially different. We are now, my Lords, to consider Mr. Hastings's conduct in receiving presents between the years 1780 and 1784, to a very large amount, for the use of the Company, as he contends; but, as the Managers in argument have contended, for his own use; though at a subsequent period, as they say, fear induced him to apply them to the public service.

If the Managers have succeeded in proving that Mr. Hastings received these presents, intending to apply them to his own use, then Mr. Hastings must be found guilty, and will be punished, as he very well deserves to be. But on the other hand, if your Lordships shall be of opinion that he *bona fide* intended, at the time the several presents were received, to apply them in the manner they actually were applied, to the public service, then you will have to consider the construction which the Managers have put upon the act of 1773,
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by which, as they say, it became criminal to receive presents for the Company's use. You will also have to consider, whether the mere breach of that statute could now be a matter of impeachment, since the clause relative to the receipt of presents was repealed in 1784.

I do not recollect that the Manager * who summed up this charge on the part of the Commons laid that particular stress on the breach of the law at that period, which he did in summing up the evidence in reply, when it was very strenuously contended, that Mr. Hastings must be convicted upon the breach of the law, even if your Lordships should be of opinion that each present was received with the clearest determination to appropriate it to the use of the Company. It was also contended, and evidence was brought to prove, that Mr. Hastings, in receiving these presents, had acted against his own recorded opinion of the true sense and meaning of the act of 1773. Now, my Lords, it has happened in this instance as it has in so many others, that the evidence produced did in fact prove the reverse of the Manager's assertions. It appears very clear to me, that Mr. Hastings and the Council in Calcutta, and the Directors, and his Majesty's Ministers at home, construed the act in this way—that British subjects in India might receive presents for the Company's use, though they were interdicted from receiving them for their own use. This appears perfectly clear from what actually passed relative to a present from Sujah Dowlah to a brigade of British forces in the year 1774. Mr. Hastings said, that the act actually precluded the officers from accepting that present, but advised its being received as a deposit in the Company's treasury; and he promised the army to recommend their case strongly to the Court of Directors.

* Mr. Fox.

Directors. The present was received from Afoph ul Dowlah, lodged in the Company's treasury, and distributed by an order of the Court of Directors, which order was approved by the Board of Controul, while the noble Lord who now sits in the chair at your table, was a member of that Board, and his name appears to the letter of approbation.

It will not therefore be contended here, though it was in Westminster Hall, that Mr. Hastings has held two opinions as to the true intent and meaning of that act. He took presents every year of his government, either of small amount, or to a considerable value, and brought them to the Company's credit.

The presents which yet remain to be considered differ in some circumstances: I shall therefore follow the rule so wisely laid down by your Lordships, and take them up separately.

The first is the present from Cheyt Sing, received in June, 1780. Your Lordships will see that this present is entered as a deposit in the Company's books; that is, as a sum at the command of Mr. Hastings, and making part of his private fortune. Now, my Lords, Mr. Hastings must be convicted on this head, unless, on a fair and full view of all the evidence, it shall be made out, to the satisfaction of your Lordships, that he really made that sort of disclosure of this present as soon as he had received it, as absolutely precluded him from the power of converting it to his own use. I will endeavour, as shortly as I can, to state the effect of the evidence to your Lordships, as it strikes my mind. In the month of June, 1780, Mr. Hastings proposed to the Council the plan of an expedition into the province of Malwa. He expected by this expedition to draw Madajee Scindia from Guzzerat to the defence of his own dominions;

nions ; and in that event, it would have been a very powerful diversion in favour of General Goddard ; or that it would produce the ultimate object which Mr. Hastings hoped to attain by the expedition—a peace with the Mahrattas, to which he supposed Scindia would be adverse, as long as he was himself at the head of the Mahratta armies, and as long as his own dominions should remain uninvaded. This plan was opposed by Mr. Francis and Mr. Wheeler, who formed the majority, notwithstanding the very uncommon earnestness with which Mr. Hastings entreated them to leave the conduct, as they had thrown the responsibility, of the Mahratta war upon him. At the close of his proposition, he uses these remarkable expressions : “ I wish I could stake my life on the success of the expedition.” Whether it would have been better for the majority to have submitted their opinions to that of Mr. Hastings, cannot be matter of doubt, because the expedition did take place at a period somewhat later, and did actually produce all those beneficial consequences which Mr. Hastings had predicted from its adoption.

It appears, my Lords, from the evidence, that, after this proposition was rejected, Mr. Hastings sent for the Buxey of Cheyt Sing, who had offered him a present of two lacks of rupees some time before. There is some difference in the statement of the ground on which this present was offered. Mr. Larkins says, that it was offered on a plea of atoning for the past misconduct of Cheyt Sing, though really with a hope of inducing Mr. Hastings to wave in future the demand of the subsidy. Mr. Hastings in his defence says, that he fully explained to Sadanund the propriety and justice of the war subsidy ; that he told him it never would be given up while the war lasted ; but on the restoration of peace this extra payment would

no longer be demanded. He says, that he received the fullest assurances, in the name of the Rajah from Sadanund, of strict obedience in future, and an offer of a present of two lacks of rupees, accompanied by apologies for his former ill behaviour. Mr. Hastings goes on to say that he cordially accepted his apologies, but declined the present. On the refusal of the majority to consent to the proposition of Mr. Hastings, it appeared to him, that the only objection urged against the measure, was the extra expence which would be incurred by it. On his return, therefore, from the Council, he sent to Sadanund, and told him he had reconsidered his master's offer, would accept the money, and desired him to pay it to Mr. Larkins. He requested Mr. Larkins to receive it, to send it to Mr. Croftes the treasurer, and he informed Mr. Larkins that it was a sum that had been offered to him, and which he accepted for the Company, in order to remove the objections which had been urged by Mr. Francis and Mr. Wheler to the expedition against Malwa.

This was on the 21st of June, on the 26th Mr. Hastings again submitted the subject of the expedition to the consideration of the Board, and with a degree of earnestness that must convince your Lordships it was a point, in his opinion, on which the fate of India depended, as in fact it did. In his minute he tells the Board, that they do not appear to have offered any reasonable objection to the plan, except that it would be attended with considerable additional expence.

“ The objection made to the expence (says Mr. Hastings,) is a
 “ material one; but a vigorous exertion cannot be made without
 “ expence, nor can the war be concluded honourably, or prosecuted
 “ successfully, without such an exertion. Feeble measures, and

“ vances for peace, will but add to the strength and presumption
 “ of our adversaries, discourage our friends, and, perhaps, induce
 “ them to become parties against us.”

In another part of his minute he says, “The part which this
 “ government has hitherto borne in the war is mine; the other
 “ members having repeatedly disclaimed their share in the responsi-
 “ bility attending it. It is hard, that while they load me with the
 “ weight of such a charge, they should bind my hands, and deny
 “ me the means of supporting it.”

He concludes his minute, my Lords, by stating, that whether the troops which he proposes to employ in the invasion of Malwa are in the field or in cantonments, their pay must be the same; that the contingent expences, therefore, are all which can fairly be charged to the expedition. Those contingencies he rates high, when he supposes they will amount to two lacks of rupees: that sum, he says, he is desirous to contribute to carry his measure, to which he hopes there can no longer be an objection: and he adds, that he has already deposited it, within a small amount, in the hands of the sub-treasurer.

The majority still persisted in their opposition; and there is a circumstance which ought to follow in the evidence, but by some accident it does not, and therefore I shall state it, not as making part of the case, but leaving it to your Lordships to give what consideration you may think it deserves. Mr. Markham was examined in Westminster Hall on this present: he declares himself to have been privy to it at the time, refers to the evidence which he had given on the subject in the House of Commons, and says it would save time if that were inserted as his answer. I pre-

sume, my Lords, that a copy of the evidence given in the House of Commons was not at hand. The Managers went to another head of examination, and it is left in this imperfect way upon your Lordships' minutes. I have looked at Mr. Markham's evidence before the House of Commons, and I find that he very fully details the communication made to him by Mr. Hastings, relative to this present. The conversation happened immediately after the rejection of Mr. Hastings's last proposition to the Council, and he expressed his concern to Mr. Markham, that he had accepted the present from Cheyt Sing, since he could not now make the use of it that he had intended. It was by an accidental omission of all the parties, as your Lordships must perceive, that the complete evidence is not upon your minutes. My Lords, the next communication of this present was to Mr. Sullivan, and it was sent by a foreign ship in August, 1780, with liberty to Mr. Sullivan to make any public or private use of it he pleased. From all these circumstances, which are in evidence, I think it appears most clearly, that Mr. Hastings never had the most distant idea of appropriating this money to his own use. There was a fourth communication, which Mr. Hastings supposed he had made of this present, though, in point of fact, he had not made it; but, in the way it strikes me, it gives great weight to the preceding evidence. Major Scott received a letter from Mr. Hastings, dated the 7th of December, 1782, some time in the month of May, 1783, and he underwent a very long examination before the Select Committee of the House of Commons, which, by the desire of both the parties, was read to your Lordships. It appeared, that on being asked whether he knew from whom the several sums were received, that Mr. Hastings had accounted

counted for to the Company, he said, that one of the sums was from Cheyt Sing; and he read a part of a letter from Mr. Hastings to him, in which he says, “ You may remember the two lacks which I received from Cheyt Sing, to defray the expence of Camac’s detachment.” Major Scott deposed, before your Lordships, that no communication had been made to him of this present, because he had left Mr. Hastings’s family at the time it was received, and was on his way to Chunar. I infer from this, my Lords, that Mr. Hastings had no conception of keeping the matter secret; that, supposing Mr. Scott to have been in his family at the time the present was received, he conceived he had communicated it to him, as he certainly would have done, had Mr. Scott been at Calcutta at the time.

Your Lordships will find, that the next communication of the present was made in a letter from Mr. Hastings to the Court of Directors, dated the 29th of November, 1780. The observations which were made upon this letter, both on the part of the Managers and the counsel for the defendant, will lay me under the necessity of detaining your Lordships some little time on this very material part of the case: when Mr. Hastings offered to pay two lacks of rupees for the extra expences of Major Camac’s detachment, his offer was so worded, that his Council would naturally suppose he meant to give this money from his own private fortune. It was absolutely necessary for him, therefore, to order the money to be entered as a deposit: but to the Directors, in this letter, he says, “ the money was not my own, and I neither could nor would have received it but for your benefit.” Now, my Lords, you will determine, whether, after the various communications which Mr.

Haftings had made of his present, it was poffible that he could have had an idea of converting it to his own ufe ; becaufe he had ordered it to be entered as a deposit, if he did fo order it, or becaufe, without any fpecial direftions from him, it was entered as a deposit, in his name, in the Company's books.

I will now proceed to the other parts of this letter of the 29th of November, 1780 : the Managers produce it in the front of their evidence, for the exprefs purpofe, as they fay, of falſifying it, in all its parts—an expreffion rather rash, and ill confidered. It is a very long and important political letter, representing, in very forcible language, ſome very intereſting circumſtances. The firſt paragraph of the letter I have already mentioned : it goes on to ſtate the alarming ſituation of India at that moment—the meaſures he had taken to repel the dangers that ſurrounded them ; and then he mentions the circumſtance of thirty thouſand horſe being on the weſtern frontier of Bengal. He tells the Directors what ſubſequent events proved to be true ; that though Moodajee Boofla was compelled to join the confederacy againſt the Engliſh, he was really ſo far from being hoſtile to the government of Bengal, that nothing but the laſt neceſſity would induce him to proceed to extremities againſt us. He repreſents the diſtreſs which ſo large an army had ſuffered from the want of pay, and the danger, under ſuch circumſtances, of any accidental commencement of hoſtilities. After full conſideration he ſays, that he had taken upon himſelf to ſend three lacks of rupees privately to the commander of this army, who was the ſon of Moodajee Boofla, and he had promiſed him a larger ſum, provided any ſervice was performed by the army, which ſhould juſtify him in relieving their wants. Your Lordſhips will remember, that

a very large detachment was at this moment on the point of proceeding to Madras, and their route lay through that part of Moodajee Boosla's territories, in which this body of thirty thousand horse were then encamped, professedly for the purpose of invading Bengal. Mr. Hastings goes on to state, that though he could carry the point of sending this supply of three lacks in Council, yet he knew he could not carry it without opposition; and therefore he had sent the money privately, and had taken the entire responsibility upon himself. When the Managers said they meant to falsify this letter in all its parts, it was natural to expect that some evidence would have been offered to disprove all these important communications. Mr. Hastings proceeds to state, that of the supply of three lacks, thus sent to the Berar army in Cuttack, he had raised two thirds by his own credit, and had supplied the other third by cash in his hands belonging to the Company. Now, my Lords, this was undoubtedly a mistake, and a mistake which a more cautious man would not have committed. Whether in common candour it should not have been deemed a mere mistake, and excusable in a man writing without accounts before him, when his whole mind was engaged on subjects of the utmost importance to the British interests in India, your Lordships will determine. The fact was, that two thirds of the supply sent to Moodajee Boosla, was money in his hands belonging to the Company, and the other third was money raised on his own credit; that is, his own money, because, if he borrowed it, he made himself accountable for the sum borrowed. The Managers have not told your Lordships any possible motive which Mr. Hastings could have had for practising this deception; nor have they observed, that if Mr. Hastings himself had not corrected

rected the blunder, it would not have been in their power to have discovered it. In good truth, I should suppose that the real motive for reading this letter at all, was to introduce the story of the bonds, which not being in charge, could not have been introduced but under this sort of cover. So much has been said of those bonds, that, though nothing which has a relation to them is in charge, I shall endeavour to state all that appears upon the subject. For the three lacks sent to the Berar army the 3d of October, 1780, Mr. Hastings, on the 5th of January, 1781, applies to the Board for three bonds, as if they were all his own property. He desires to have bonds for two lacks, on a loan, bearing an interest of eight per cent. the principal and interest payable in Bengal. This was, in fact, the Company's money, being the present he had received from Dinagepore, which is not in charge. For the third bond, which was his own property, he desires a bond, to be liquidated by bills upon England, payable in five years, and which the Managers have very unnecessarily proved were duly paid to his agents in England. I say they have unnecessarily proved it, because the fact was admitted, and is quite extraneous to the case before your Lordships. Mr. Hastings took another bond for one lack and a half of rupees, being the amount of a present which he had received from Nuddeah, and paid into the Company's treasury on the 23d of November, 1780. This bond is not in charge, but I mention it, because the observations made on the two bonds for the Dinagepore peshcush, apply to this also; and they are all included in the account which accompanied that letter of the 22d of May, 1782, which is in evidence; and having been the subject of so much animadversion, I will endeavour to state the whole as distinctly as possible. Your Lordships
will

will remember, that, in the letter of the 29th of November, 1780, Mr. Hastings told the Directors that he had received two lacks of rupees in June, which he had deposited in the treasury. This was the present from Cheyt Sing. On the 20th of January, 1782, he wrote to the Directors that he had received a present of ten lacks from the Nabob Vizier, in September, by bills, which had been in part realized, and expended in the public service. He assures the Directors, that the remainder of that present, when received, shall also be expended in the public service. He returned to Calcutta on the 22d of May, 1782: by that time the whole of the present had been received; and, on the 22d of May, 1782, he writes a letter to the Directors, in which he gives an account of all the presents that he had received: these consist of two lacks from Dinagepore, one and a half from Nuddeah, two from Cheyt Sing, two from Patna, ten from the Nabob Vizier, and fifty-eight thousand rupees from Nundolol: these several sums, when converted into current rupees, make something more than nineteen lacks, or about two hundred thousand pounds sterling. He informs the Directors that these sums were taken at times when the Company very much wanted them; that none of them passed through his hands; that for the first sums (Dinagepore and Nuddeah) he had taken bonds.—He says, if he were asked why he took bonds for those sums, he should answer, that he took them, in order to conceal the receipt from public curiosity; or possibly acted ^{not} from any studied design, which his memory, at that distance of time, enabled him to state. The departure of the packet, by which this letter was intended to go, was delayed from May to December, in the daily expectation of receiving from Poona the ratification of the Mahratta peace. In the intermediate

mediate time, that is, between May and December, 1782, when the packet did actually fail, Mr. Hastings received an account from England of the strange proceedings which had taken place here; for your Lordships will recollect, that early in May, 1782, a resolution was moved, and voted in the House of Commons, That it was the duty of the Directors to remove Mr. Hastings from the government of Bengal, on an idea that he had forfeited the confidence of the princes in India. This resolution, the proprietors had the manliness and the good sense to resist; and they have since had the satisfaction of hearing their resistance applauded by the gentleman (Mr. Dundas) who made the motion for the recall of Mr. Hastings, who declared in his place in the House of Commons, that by resisting his resolution, the proprietors had preserved India to Great Britain. To obviate the suspicion of having been induced by the events which had happened in England, to discover the receipt of these presents, the letter of the 22d of May, 1782, was opened, and an affidavit, sworn by Mr. Larkins, before one of the judges in Calcutta, was put into it, which proved that the letter and account were both written on the 22d of May, on an idea, that the packet would fail immediately. Mr. Hastings writes another letter on the 16th of December, 1782, in which he tells the Directors that the affidavit is sent with the letter for the purpose which I have mentioned; and he says in this last letter, that the sources, from whence these supplies, so necessary for their service, were obtained, could have been obtained in no other way. That, if he had had a wrong motive (meaning obviously if he had meant to put the money into his own pocket) he could have concealed the receipts from theirs and the public eye for ever. He adds, that if he has
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been wrong, he gives up that security which those enjoy who commit crimes or errors; he is ready to answer any question which the Directors may put to him, upon honour or upon oath. This letter, my Lords, reached England in the month of May, 1783, and no notice was taken of it to Mr. Hastings, though the subject of much remark, and of one very long report to the House of Commons, until the 16th of March, 1784, which was after the India bill of Mr. Fox had been thrown out, and under a new administration. A letter was then written to Mr. Hastings, by the Directors, in which they tell him, that they do not doubt his integrity; on the contrary, that having received these presents, they approve of his having paid them into the Company's treasury: but, as he had voluntarily offered to answer any questions, and as the account was in many parts unintelligible to them, they desire to be informed, at what periods the several sums were received; why he concealed the receipt from the Council and the Court of Directors, and why he entered some of the receipts under the head of deposits, and took bonds for other sums.

This letter arrived in Bengal in the month of September, 1784, when Mr. Hastings was in Oude. He returned to Calcutta on the 5th of November, and quitted India on the 9th of February following, without replying to this letter; and in candour your Lordships will believe, when you consider the multiplicity of business which he had to transact prior to his resignation, that he really had not adverted to this particular paragraph. He landed in England in June, and went soon after to Cheltenham. Being reminded by Major Scott that he had not answered this paragraph, he wrote a letter from Cheltenham to the Directors, replying to the three
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questions which had been put to him. This letter also has been very much commented upon; but your Lordships, weighing the whole as honourable and impartial judges, will not forget that he wrote on matters of account without an account to refer to, in reply to a letter of the Directors, and not in reply to that article of impeachment which was preferred against him two years after. He tells the Directors, that as far as he can recollect, he will inform them; that, if the information which he gives is not sufficient, he refers them to Mr. Larkins for farther information on the points they had mentioned, as the channel for making any farther investigation they thought proper, as that gentleman was acquainted with the whole transaction. He says, he believes the sums were received at or very near the time they were paid into the treasury, but that Mr. Larkins will be able to answer the question exactly, as he possesses, according to his belief, the only memorandum which he ever kept of the transaction. This was an answer to one question: to the second, he says, he really does not know why a sum was entered as a deposit, possibly without any direction from him, as he had avowed the transaction to them on the 29th of November, 1780, that is, Cheyt Sing's present.

Why he took bonds for two of the sums (that is, the Dinagapore and Nuddeah bonds) he cannot say more particularly than he had already done. But he is confident that he intended to conceal all the receipts from them, until the magnitude of the sum received from the Nabob made it impossible to conceal that present; he then answers a question which he supposes they might have asked—That prior to July, 1780, he indorsed the three bonds, to prevent their being a charge upon the Company in the event of his death. With
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this information it appears, my Lords, that both the Directors and the Board of Controul were satisfied, for they made no farther inquiries. But Mr. Hastings, anxious to give as complete an answer as he could to the questions which the Directors had asked him, wrote himself to Mr. Larkins, and requested him to send to the chairman that memorandum which was in his possession, and which contained an account of the periods when the several sums were received: my Lords, this application to Mr. Larkins produced the letter of the 5th of August, 1786, and that account was inclosed in it, upon which your Lordships have heard so many comments in Westminster Hall. And here I cannot avoid making an observation, which I am sure must have occurred to your Lordships, and to which every honourable man sitting as a judge will give the attention it deserves. Though this subject of presents has taken up so many years in the discussion, the Managers have never been able to this moment to procure a tittle of evidence beyond what Mr. Hastings himself has furnished them with. I own, when I consider all that has happened in the last twelve years, I am much struck with that part of Mr. Hastings's letter to the Directors, of the 16th of December, 1782, in which he tells them, "If I had a wrong motive, I could have concealed the receipt of these sums from yours and the public eye for ever."—I believe the assertion to be strictly true.

I have but one subject more to mention, my Lords; and though not at all applicable to any matter in charge, it was dwelt upon with so much force by one of the Managers, Mr. Fox, in the reply of the last year, that it is well worthy your Lordships' most serious attention. You will recollect that for those sums which are not in charge, Mr.

Haftings took bonds ; in the account inclosed in his letter of the 22d of May, 1782, he fays that thefe bonds remained in his poffeffion, with an indorfement on each, that he had no right to either principal or intereft, and that he had not received any of the latter ; it did not appear by this ftatement at what period the bonds were indorfed : Mr. Haftings told the Directors that they were indorfed prior to his leaving Calcutta in the month of July, 1781 : but defirous in this inftance, as in all the others, to give every information required, or to verify his own affertions, an application was made to Lord Cornwallis by the authority and at the defire of Mr. Haftings, for thofe bonds to be fent to England ; and they arrived at the India Houfe in the year 1789. Your Lordfhips well remember the remarks made upon this fubject in the following year by the Managers ; for the fact turned out to be, that the bonds were not really indorfed until the 29th of May, 1782, that is, feven days after the letter of the 22d of May was written. My Lords, the Managers fpent no inconfiderable time in endeavouring to convince your Lordfhips, that this blunder proved the guilt of Mr. Haftings ; poffibly your Lordfhips as judges may draw a different conclufion : it is certainly a queftion of inference ; and after weighing the matter fully, I confeß that I do draw a conclufion the very reverfe of that from the Managers. Why did Mr. Haftings tell the Directors that he had indorfed the bonds prior to the 7th of July, 1781, unlefs he really conceived he had done fo ? The Directors asked him no queftions as to the date of the indorfement, and no poffible advantage could refult to him from the affertion of fo foolifh a falfehood. You muft go farther, my Lords, if you believe with the Managers, that Mr. Haftings told a falfehood, in order to miflead the Directors. You muft

must ask, what motive could induce Mr. Hastings to send to Bengal for evidence to expose his own falsehood? You must conclude that he wrote what was not true, for the mere pleasure of detecting himself in a falsehood. When Mr. Hastings addressed your Lordships, at the close of the year 1791, he expressed his surprise and concern at the many mistakes which he had committed; and he naturally enough, I think, imputed these mistakes to his having written on matters of account, without an account before him; for he adds, that if there had been one circumstance more strongly imprinted on his memory than another, it was this, that prior to his leaving Calcutta in July, 1781, he had indorsed those bonds; that it was he himself who sent to Bengal for the bonds to verify the fact which he had asserted, but having discovered his error, he was almost afraid to hazard a conjecture. He presumed, however, that he must have confounded two distinct things; that in point of fact he had left the bonds with Mr. Larkins to deliver up to the Company in the event of his death, Mr. Larkins having known from the first, that the bonds were not his property.

My Lords, the unprecedented length of this trial enabled the court to have the benefit of the evidence both of the Marquis Cornwallis, and Mr. Larkins. The nature of the evidence of the latter gentleman, given in reply, in the last year, induced one Manager (Mr. Burke) to affirm, that the guilt of Mr. Hastings was now so apparent that he must wish for mountains to cover him: another Manager (Mr. Fox,) who summed up the evidence in reply, with that ability which so much distinguishes him, contended that the guilt of Mr. Hastings was fully established by the evidence of Mr. Larkins; and, my Lords, I am very ready to agree, that if Mr.

Larkins's

Larkins's evidence had really been what the Manager said it was, this conclusion was inevitable. The Commons would have fixed an indelible stain upon the character of Mr. Hastings; though your Lordships could not have convicted him on a point which is not in charge. " The Manager said, that Mr. Hastings, not supposing " it possible that Mr. Larkins should arrive in England in time to " give evidence on this cause, had taken the advantage of his absence to affirm most positively, that from the first Mr. Larkins " knew the bonds not to be his property; and as Mr. Larkins was " a man of acknowledged integrity, high in the confidence of Lord " Cornwallis, and in great esteem with the Directors and the Board " of Controul, Mr. Hastings had conceived that your Lordships " would infer his innocence, from the circumstance of having communicated these private receipts of money to a man of so high and " fair a character. Mr. Larkins, however, had sworn to your " Lordships, that he did not know the bonds to be the property of " the Company, until the 22d of May, 1782, consequently Mr. " Hastings had asserted what was not true; and it was impossible " for the most credulous man alive, or the man most warmly attached to him, to believe that he had made such an assertion with " any other view, than to cover his own guilt."

My Lords, I have read over the evidence of Mr. Larkins with the utmost attention; possibly it was not printed when Mr. Fox spoke, or he might have confided in a syllabus drawn up by the agents, or he might have trusted to the impression, which, from a partial attention to Mr. Larkins when he delivered his evidence, remained upon his memory. I will endeavour to state to you the result of Mr. Larkins's evidence on the point in question, which,
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after a long examination in chief by the Managers, a cross-examination by the defendant's counsel, and a re-examination by the Managers to this particular point, is, that Mr. Larkins cannot recollect being told by Mr. Hastings prior to the month of July, 1781, that the bonds in question not being his property were to be delivered up in the event of his death; that he by no means will swear that he was not so told, though he thinks it is a circumstance that could not have escaped his memory; that these bonds were always in his custody; that the private books of Mr. Hastings were also in his custody; that these bonds never were entered in those private books, which they would have been, had he not known that they stood in some peculiar light: that the first year's interest became payable upon these bonds while Mr. Hastings was absent from Calcutta, and unless he, Mr. Larkins, had received some intimation from Mr. Hastings to the contrary, he certainly should have received the interest due upon these bonds. He did not receive it. To various questions on this point Mr. Larkins gives a similar answer—expresses his concern that he cannot at so great a distance of time recollect what intimation Mr. Hastings gave to him, but is confident he did receive some directions from him. Now, my Lords, the fair conclusion which a judge will draw from this evidence must be, that Mr. Hastings had done what he says himself, he did do. He had told Mr. Larkins, as soon as the bonds were granted, that they were granted for money belonging to the Company. There can be no other cause assigned for the conduct of Mr. Larkins. A man of business, personally attached to Mr. Hastings, would not have neglected to receive the interest due upon these bonds: a man of business would not have neglected to enter them in his books, as part of his

his private fortune. Mr. Larkins is both a man of business, and personally attached to Mr. Hastings. The fourth bond that Mr. Hastings took from the Company at the same time for one lack of rupees, was for his own money, as Mr. Larkins has proved: that bond was entered in his private books, and has been completely liquidated in England.

I have to apologize to your Lordships for the length of time that I have intruded upon your indulgence; but as I conceive we are now upon the most material part of the whole case, I have endeavoured to state the evidence upon it as clearly as possible, after having repeatedly read it with the closest attention. With respect to those sums for which bonds were granted, your Lordships will see, by comparing them with the account inclosed in Mr. Larkins's letter of the 5th of August, 1786, that one lack and a half was received as a peshcush from Nuddeah, and two lacks as a peshcush from Dinagepore. The Commons were possessed of this information two months before they presented the impeachment at your Lordships' bar; but they did not think proper to charge Mr. Hastings with criminality, either for receiving these presents, or for taking bonds for them, or for giving no account of the balance which remained on the Dinagepore caboodle: but there is no part of the case on which both the Managers and the defendant's counsel have argued so much at length: I have therefore examined the evidence, and considered the arguments with all the attention in my power. With respect to the charge now under consideration, the receipt of the present from Cheyt Sing, my opinion decidedly is, that Mr. Hastings ought to be acquitted of the suspicion of an intention to appropriate that money to his own use. If, from the evidence before

the court, or from inferences from that evidence, I could be induced to believe, in my conscience, that he intended, though but for a moment, to apply one rupee of it to his own use, I should vote in the affirmative for the motion which I shall now have the honor to submit to your Lordships, and to which I shall certainly say *Not-Content*.

Lord Thurlow then moved, That the Commons had made good the sixth article, in so far as related to the sum of two lacks of rupees, corruptly received from Sadanund, the buxey of Rajah Cheyt Sing.

The LORD CHANCELLOR began a very long, argumentative, and eloquent speech, with laying it down as indisputable, that, independent of the act of Parliament of 1773, for a President of a Council, or a Governor General in India, to take a present from a person connected with, or dependent on him, was a crime by the common law of England. In like manner in the case of bribery, to give or accept a bribe was a crime at common law, independent of the various statutes in existence on the subject of bribery. His Lordship referred to the statute 5 & 6 Edward VI. cap. 16. against buying and selling offices, and drew an inference from it, in support of his arguments respecting acts, which were of themselves crimes at common law, antecedent to the passing of any statute respecting them. An act of Parliament might, he said, annex fines and penalties, and provide means to render detection and legal conviction more easy, but it did not constitute the crime, nor alter the nature and quality of the act itself. His Lordship said, that however they might have differed on other parts of the charge, there could not be a shadow of doubt, that the Commons

had made good all the remainder of this article. Mr. Hastings had accepted various sums from different persons, as appeared from the evidence and his own admission, which having been all given to procure general favour, the receipts of those sums by him was highly criminal, nor did the law require in this case a more minute particularity in drawing up the article, than was to be found in the impeachment; and the reason was obvious—the transaction in each instance was *prima facie* a crime, because the motive and principle which actuated the mind of the giver, and influenced him to make the offer, was clear, evident, and undeniable; nor could it be for a moment mistaken by the receiver, because common sense would tell him when the offer was made, for what purpose it was made, and he must know that by receiving it, he gave the person giving, reason to expect, that by the present he had purchased a right to consideration and favour, either in some particular instance then in agitation, or that might be in agitation on some future occasion.

Having thus emphatically stated what he maintained to be the point of law respecting the presents received by Mr. Hastings, his Lordship proceeded separately to examine and discuss the circumstances of each, and to compare them respectively with the evidence in the view in which it appeared to him to apply. He began with the present of two lacks of rupees from Cheyt Sing, received by Mr. Hastings from Sadanund, the Rajah's buxey, and this he traced from the first tender of it on the part of Sadanund, with the Governor General's subsequent consent to its payment to Croftes, through the hands of Larkins, in whose hands it lay as a deposit for the Company's use; but it was not rendered applicable to their service till some years afterwards. His Lordship dwelt for some time

on the whole of this transaction ; he stated the conduct of Mr. Hastings at the Board, when he proposed to march a detachment under Major Camac into the province of Malwa, in hopes to draw Mhadajee Scindia from Guzzerat, and thus lay a foundation for peace.

He said, Mr. Hastings's proposition was rejected by the Council when it was made, and yet he suffered the money to remain in the shape of a deposit, as he called it, in the hands of Mr. Croftes, the Company's sub-treasurer in Calcutta, for years together. He referred to the letter of Mr. Hastings to the Directors of the 29th of November, 1780, in which he declares, " that the money tendered " by him to the Board to defray the expence of Major Camac's detachment, was not his own property, but had been received by " him for the use of the Company : he farther explains his motives " for buying off the troops of Berar, under Chimnagee Boosla, " and states that he caused three lacks to be delivered to the Raja of " Berar, two thirds raised by his own credit, the other supplied from " cash in his hands belonging to the Company." His Lordship asserted, that nothing could be more evasive or unsatisfactory than this letter, in which the Governor General neither informed the Directors when he received the money, where he received it, nor from whom he received it. Nor did he state any one circumstance explanatory of the transaction with Sadanund, the first tender of the present, his rejection of it, his subsequently consenting to take it, the mode of its being paid in by the buxey of Cheyt Sing to Larkins, and from him to Croftes, nor any other particular that could give the Directors a clear idea of a matter, which upon the face of it was involved in doubt ; and if the present were received with a pure motive,

tive, and an intention on the part of Mr. Hastings, from the first, to apply it to the Company's service, why was the transaction enveloped in unnecessary mystery?

His Lordship detailed the history of the bonds, made out in consequence of the letter of the Governor General to the Council, of January 5, 1781, agreeable to the minute of January 9; and argued from the letter of Mr. Larkins to the Chairman of the East-India Company, August 5, 1786, in which an account is given of the bond, No. 89, that Mr. Hastings had by no means established that part of his defence relative to this transaction which he had delivered in to the House of Commons. He referred also to the Directors letter of January 25, 1782, in which they disapprove of the nature of the transaction, and contended that, in consequence of that disapprobation, Mr. Hastings ought immediately to have communicated all the circumstances respecting the present received from Sadanund, on the part of the Rajah Cheyt Sing. His Lordship laid great stress on the length of the period which Mr. Hastings suffered to escape, before he actually turned the deposit of the two lacks in question over to the use of the Company, declaring that circumstance alone in his conduct not only questionable, but highly blameable, and deserving censure of the severest sort, considering how soon it was after the money was paid in to Mr. Larkins by the Rajah's buxey. Mr. Hastings knew that the Council would not accept of it, for the purpose to which he had proposed to apply it, viz. to the service of Camac's detachment, with a view to lay the foundation of a peace with the Mahrattas. Upon the whole, his Lordship said, regarding the charge respecting this present from Sadanund, in every possible view that the evidence tended to give, he

he thought that Mr. Hastings could not stand excused on any pretext of reason or justice, but that he had been convicted in the clearest manner of the crime alledged by the Commons.

His Lordship next proceeded to discuss the charge respecting the present of ten lacks of rupees from the Nabob, stated by Mr. Hastings to the Directors, in his letter of the 20th of January, 1782, which donation, he informs them, was made in part only, and *tardily paid*. In order to prove that this description of the circumstances of the present was not true, his Lordship referred to the letter of Mr. Hastings to the Directors of the 22d of May, 1782, to the account referred to in that letter, to the affidavit of Larkins, to the letter of Mr. Hastings to the Directors, of December 16, 1782, to the defence and narrative of Mr. Hastings, and to the evidence relative to the three bonds delivered on January 17, 1785, to Larkins's affidavit respecting them, and to the evidence of Mr. Wright, who, on his examination in Westminster Hall, on the 18th of February, 1790, produced one account, shewing that upwards of eight lacks of the Chunar present were received before the end of January, and another account shewing the appropriation of the sums received, comprised in the above-mentioned account. His Lordship pointed out several contradictions between the account that Mr. Hastings gave of these bonds, and all the relative particulars. He observed, that in Westminster Hall the counsel for the defendant particularly laboured their defence of the bonds, as well those to which this part of the article referred, as those in the subsequent charges comprehended in it; but although they had undoubtedly displayed a considerable share of ingenuity, they had produced nothing like conviction on his mind. After enlarging upon each particular,

ticular, and reasoning much at length upon the circumstances of the case at large, he contended, that taking the account as favourably for Mr. Hastings as it could be collected from his defence and narrative, and from the statements of Mr. Larkins, there remained a considerable sum, not less than one lack and a half of rupees, out of the amount of the present from the Nabob of ten lacks, as yet wholly unaccounted for.

After some reasoning upon the Dinagepore peshcush, and stating why he thought that constituted a part of the money received from Nundoolol, and paid in by Mr. Hastings, when he furnished the money sent to Chimnagee Boofla (which opinion his Lordship rested on the various accounts stated in the several accounts contained in the letter sent by Mr. Larkins to the Directors, dated August 5, 1786,) the Lord Chancellor came to that part of the article which contained the charge against the defendant, relative to his transactions with Kelleraam, a renter under the Company. In tracing the particulars of this charge, his Lordship referred to the letter of Mr. Hastings to the Council at Patna, of July 23, 1780, desiring them to send down Kelleraam to Calcutta; to the minute of Council, on the 14th of November, 1780, when Mr. Hastings introduced to the Board proposals from Kelleraam for farming Bahar, which he recommends to the Board's acceptance; to the letter of the Patna Council of the 27th of November, 1780; to the minutes of the Council of December 19, which state the comparative settlement made by the Patna Council, and the other by Cullian Sing, and the agreement to accept Cullian Sing's proposals on terms explained to Kelleraam, which he accedes to for Cullian Sing; to the minute of March 30, 1781, containing the resolution to appoint and confirm

Kelleraam

Kelleram Naib; to the evidence of Mr. Hudson, to shew that no security besides a common caboodle was taken from Kelleram, as renter of the province of Bahar; and to the evidence of Mr. Young and Mr. Anderson, touching the characters of Kelleram and Gunga Govind Sing, and the particulars of the four lacks, which rumour said had been given to Mr. Hastings by Cullian Sing, and of which he gave notice to Mr. Hastings. Though rumour was in general a common liar, his Lordship said, that rumour in this instance spoke the truth, for four lacks were received from Kelleram, through the hands of Gunga Govind Sing. He proceeded to reason very minutely on the appropriation of these four lacks, and declared his conception of it to be extremely different from that of the noble and learned Lord who had just sat down.

His Lordship stated in what particulars the difference between his idea of the appropriation of the money in this and the former instance of the supposed Dinagepore peshcush, and the idea of the noble and learned Lord, consisted: contending, that not more than five lacks and a half, or six at the utmost, out of nine lacks and a half received, appeared to be accounted for by the Governor General. He adverted in the course of his argument (which in a great measure consisted of statements governed by arithmetical comparisons and data) to a variety of the lesser relative particulars, such as the abolition of the provincial councils, appointment of Gunga Govind Sing Dewan to the committee of revenue, when the Naib Dewan was Prawn Kishen his son, and the Naib Canongoe was Gunga Govind Sing, to the importance and nature of those offices respectively.

His

His Lordship said, that Mr. Hastings did not give up the bonds, or the deposit note until January, 1785; so that the affairs of the Company appeared for several years worse than they really were, and at a time when it was of consequence to give them full credit for all their assets of every kind.

Having dilated much at length on every part of the charge relative to the transactions of Mr. Hastings with Kellaram, his Lordship lastly called their Lordships' attention to the charge on the subject of the conduct of Mr. Hastings with Nobkissen, which he animadverted upon with great pointedness and severity, declaring that it did not appear to him that a shadow of excuse could be pleaded in palliation even, much less in defence of conduct so open to the imputation of corruption, as that of the defendant in this instance. Mr. Hastings's own account of the transaction was this: " In the
 " year 1783, when I was actually in want of a sum of money
 " for my private expences, owing to the Company not having at
 " that time sufficient cash in their treasury to pay my salary, I
 " borrowed three lacks of rupees of Rajah Nobkissen, an inhabi-
 " tant of Calcutta, whom I desired to call upon me with a bond
 " properly filled up; he did so, but at the time I was going to exe-
 " cute it, he entreated I would rather accept the money than exe-
 " cute the bond. I neither accepted the offer nor refused it, and
 " my determination remained suspended between the alternative of
 " keeping the money as a loan to be repaid, and of taking it, as I
 " had done other sums, to the Company's use." His Lordship said, it was scarcely in the human imagination to conceive in possibility a transaction more unaccountable, more scandalous, or more unjustifiable in a Governor General, to such an individual as Nobkissen.

kiffen. He fays in his defence he wanted money, and he fent to a notorious money-lender to borrow three lacks of rupees. The man comès, brings him the three lacks, and when he is about to fill up the bonds, he defires him rather to accept the money than execute the bonds.

He then fays, he neither accepted nor refused the offer, but determined to fufpend his decifion upon the alternative ; and to prove that this was his determination, what does he do ? He does the effential act, he takes the money, keeps it, and lets the man depart without the bonds, or any legal fecurity whatever. The idea of borrowing this money came into the head of Mr. Haftings while he was at perfect leifure, failing up the Ganges, and he carries it into execution in the manner that he had fated. Was it poffible for their Lordships for a fingle moment to hesitate in pronouncing this a difgraceful and a fraudulent tranfaction ? Suppofing a cafe of a fimilar nature, he would even put one of himfelf in the fituation in which he had the honour unworthily to be placed. Let their Lordships fuppofe that he, being, as Mr. Haftings in his defence fated himfelf to be, in actual want of a fum of money for his private expences, were to fend to a folicitor in Chancery, and defire him to bring him a thoufand pounds, and upon his bringing him the money, he were about to execute a bond for that amount, and the folicitor were to offer him the money as a gift, and he were to take it, without having given the folicitor in queftion a legal fecurity for it, of any kind whatfoever, and proceed to apply it to his own private purpofes, would any man living believe, that he was not from that moment under the influence of the folicitor ; that he could not be confcious that he was fo ; that whenever he came before him as a

fuitor in a cause, his countenance and the recollection of the transaction would not operate as a check upon his conduct, and tend inevitably to warp and bias his decree, and thus subvert and destroy every principle of impartial decision, equity, and justice? Let their Lordships recollect, that they had upon their own Journals precedents of impeachments founded solely upon the charge of money corruptly taken by persons in high offices, of a nature similar to that alledged in the charge then under consideration, and precisely analogous to the case that he had put hypothetically respecting himself. Nay, it was upon record, that prosecutions had been instituted, and convictions obtained, followed by exemplary punishments, in cases where the parties had gone no farther than to presume to make the tender of a present, or as it might more justly and in plainer language be termed, a bribe to a person in high office, the nature and powers of which necessarily implied that he would be abundantly able to make an ample, but indirect return in future. After pursuing this mode of reasoning with infinite ability and force for a considerable time, his Lordship reprobated, in terms equally severe, the manner in which the defendant had attempted to get rid of this money of Nobkissen's as a private present to himself, and to place it to the Company's account, by making out a list of antiquated claims, being not only disbursements of long standing, but of state equipage and pageantry, aids-de-camp, and expences never before thought of as matter of charge by a person in any situation like to that held by Mr. Hastings, but charged by him in the Durbar accounts of the year, by way of *set-off* against the sum privately received from Nobkissen. Another circumstance struck him as very extraordinary: that the Governor General of Bengal should want

money because he had not received his salary, when it was well known, that from his situation he might have paid himself with the utmost punctuality, was most unaccountable: there was nothing like proof of the assertion being true. Mr. Hastings had offered no evidence to their Lordships on this point. His Lordship said, it could not be contended that this part of the defence was written by some other person; it was very short, and he must take it as Mr. Hastings had given it; and he must argue upon it, as written by Mr. Hastings himself, which it certainly was.

After a considerable share of close reasoning upon this part of the case, his Lordship again touched on the essential facts in each charge to which he had adverted, and said, that with respect to the present of ten lacks of rupees, received from the Nabob Vizier, and which Mr. Hastings had appropriated, as he said, to the public service, the fact did not by any means appear to him to be clearly ascertained. Upon the very face of the account, above a lack and a half of rupees was stated to be a balance in Mr. Hastings's hands. It did not appear that he had paid that balance. There was also in the account four lacks and a half of rupees sent to the resident of Benares, which, for any thing that appeared, might have been repaid to Mr. Hastings, as well as the five lacks sent to the army, and placed under the head of military charges. As to the present from Cheyt Sing, the learned Lord said it did not appear to him now, whether the Company had ever got it. The noble and learned Lord said, and indeed Mr. Larkins had sworn so, that the sum brought to credit in November, 1780, under the mhos of different sorts coined in the mint, was this present. Now, their Lordships knew, that Mr. Hastings, as governor, had been for

years in the habit of receiving small presents, called nuzzirs, and bringing them to the credit of the Company. It appeared to him that this payment of “ mhors of forts,” which was made in November, was really the produce of these presents, or nuzzirs, as these were called.

Having in a summary way reinforced his argument, his Lordship declared, in treating the whole subject, he had been speaking as solemnly and as seriously as he would have done, if trying a cause in one of the courts in Westminster Hall, and delivering a charge to a jury ; he had no feeling of a personal nature, no motive of ill-will to the defendant, nor any wish but to serve the cause of natural and national justice, and to pronounce judgment according to the evidence, and his conviction of the result of the trial. Having said this, his Lordship gave it as his opinion, that the several matters of a criminal nature to which he had referred, might as well be comprehended in a general question, “ That the Com-
“ mons had made good the whole of the residue of the sixth article ;” and the reason why he thought so was, that the facts criminally alledged throughout the article, and proved in evidence, constituted only one general crime, viz. that of corruption ; the several matters alledged and substantiated by the written and parole evidence were nothing more than so many overt acts, or instances in proof of the general charge. On that consideration he had taken the trouble to go through the whole residue of the article, and should not, unless it should be made necessary by others, trouble their Lordships again respecting it, having, for which he found himself bound to apologize, detained the Committee so long already. His Lordship concluded by saying, that he would not move the general question,
which

which he had taken the liberty to suggest, if the noble and learned Lord wished rather to divide the article into parts, and to make each part of the subject a specific question.

The Earl of MANSFIELD declared he had the misfortune to differ in opinion upon the present occasion from both the noble and learned Lords. He would not attempt to adopt a doctrine so odious as that of endeavouring to justify a crime, by collecting a good intention from the use made of the produce of the crime ultimately ; a more monstrous doctrine, or one more repugnant to every principle of justice, he could not well conceive. Painful as it was to him to declare his opinion, since, in a certain degree, that opinion was unfavourable to Mr. Hastings, yet his sense of public duty compelled him to do it. According to his construction of the law, Mr. Hastings had broke it in the five several instances now before their Lordships : he meant in the receipt of the several presents from Sadanund, Kellaram, the Nabob Vizier, Nundoolol, and Nobkissen. He said, he was well aware that there were situations in which a public man might be placed, that would render a breach of the law not only venial, but highly meritorious. He made every possible allowance for the arduous and uncommonly difficult situation in which Mr. Hastings was placed, and consequently he thought him justified in receiving all the presents, except the last, and that his conduct was even meritorious ; since, after the fullest consideration which he could give to the evidence, he did not, in his conscience, believe that Mr. Hastings had the most distant idea of appropriating one rupee of the four presents to his own use. He received them with the express determination of appropriating them to the public service, and they certainly were so appropriated. The

contradictions in the accounts, numerous as they were, seemed to proceed from excessive carelessness and inattention, not from guilt. Indeed, the noble and learned Lord (Thurlow) had stated the evidence so clearly, that his ideas were confirmed still more by that statement: but as to the last present from Nobkissen, it stood on very different grounds. There was no state necessity pleaded for this breach of the law. The money, though taken for the Company, was taken to accommodate Mr. Hastings, and appropriated to discharge a demand stated to be due from the Company to Mr. Hastings. For his argument, the propriety of the demand was out of the question. Conceiving, as he did, that the receipt of each present was illegal, (though state necessity justified all the receipts but the last) he must vote, that in this instance of Nobkissen's present, Mr. Hastings had acted illegally; and, as here he could not acquit, he must reluctantly lean to the harsher side, and condemn the act, unless it should be proved to him that his opinion of the law was erroneous. He lamented exceedingly, that there should be a single point in which he could not acquit Mr. Hastings, consistently with his duty as a judge, for no man had a higher opinion of the great and important public services which he had rendered his country than he had; and when he considered the many hardships he had suffered since his return from India, as well from the circumstances as the extreme length of the severe and arduous trial which Mr. Hastings had undergone, the calm dignity and composure with which he sustained what no man had ever borne before him, he felt himself strongly inclined to lean towards the defendant, and to put the most favourable construction on all his actions.

Lord

Lord THURLOW replied to the Lord Chancellor. He said, he staked all the credit which their Lordships might be disposed to give him for knowledge as a lawyer, or integrity as a man, on the question stated by the noble and learned Lord. He differed with him completely, and he believed the learned Lord would not get a single lawyer in the kingdom to support the doctrine which he had so distinctly laid down, and which, if he understood him right, was this—that the receipt of a present, by a person in the situation of Mr. Hastings, must be corrupt; and that it was not necessary to charge it to be a bribe in the impeachment, because the person giving the present could only give it with a hope of procuring general favour. This was a proposition which, Lord Thurlow contended, could not stand for a moment in Westminster Hall. The Commons, to shew corruption, ought to have charged some act done by Mr. Hastings to the several persons from whom the sums were received, as in the first division of this charge. In that, they accused Mr. Hastings of giving away offices for money, in the way of brokerage. There the charge was properly drawn up: but in the case now before their Lordships, the charge was not so worded; he was merely charged with receiving certain sums as presents or gifts, except in the case of Kellaram, where, in consideration of this present, he let him certain lands. That case, his Lordship said, he should consider fully, when it came unmixed with the present question, which he hoped the learned Lord would allow to be put unconnected with other matter that had no relation to it. When he came to the charge of Nobkissen, he would endeavour to state the opinion that he had formed upon it. He was, indeed, astonished at the remarks which the learned Lord had made upon the Durbar charges.

charges. He would state how the evidence struck him, when he took into consideration the present from the Nabob Vizier; nor was his astonishment less excited by the remarks which the learned Lord had made on the Benares present, remarks that had escaped the sagacity of the Managers themselves. It was distinctly in evidence, and sworn by Mr. Larkins, that the entry, under the head of deposits, in the treasury account for November, 1780, was the present received from Cheyt Sing in June; but being received in gold mohors, not current in Calcutta, it was not brought to credit until the whole was coined; though as fast as it was received from the mint it was paid into the treasury, and expended in the public service; for the learned Lord has not at all attended to the evidence of Mr. Larkins, if he supposes that these two lacks were not employed in the public service. I fancy, my Lords, it will be found, that, during the war, the treasury in Calcutta seldom contained two lacks of rupees in it for two days together. The learned Lord is totally mistaken in supposing it possible for Mr. Hastings to have entered nuzzirs as deposits; they are publicly entered under the head of Durbar charges, words of similar import with nuzzirs, when applied to receipts from the Governor General; whereas, had he entered those nuzzirs as deposits, he would have made them his own property. The learned Lord cannot withhold his belief from the evidence given on these points, if he will condescend to read it. I do not wonder, considering the important avocations in which the learned Lord is engaged, that he has paid more attention to the syllabus in his hand than it appears to deserve. All nuzzirs are entered as Durbar charges: in point of fact, there is no head of account in the Bengal treasury books, called either nuzzirs or presents.

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The only head is Durbar charges, and under that head all nuzzirs, or presents, received by Mr. Hastings on the Company's account, are entered, as I will endeavour to explain when I consider the remainder of this article. There is nothing like a reason to be assigned for discrediting the testimony of Mr. Larkins: he professes himself to be, and undoubtedly is, a warm and sincere friend to Mr. Hastings; but that friendship has not led him to swear positively to any point that he cannot fully recollect. Yet, this gentleman swears directly, that the present which Mr. Hastings received from Sadanund, for the Company, in June, 1780, through him, was not entered in the treasury books till November; because, until that month, the present paid in foreign coin was not all re-coined, and brought into the treasury. In addition to the evidence of Mr. Larkins, who appears to have stood equally high in the opinion of the Marquis Cornwallis and the Directors, as in that of Mr. Hastings, there is the testimony of Mr. Markham, to whom Mr. Hastings communicated this present: it stands, therefore, on the clearest and the fairest ground. Two gentlemen of undoubted honour, and unimpeached characters, swearing positively to a fact, and no evidence being offered on the other side to disprove it, no doubt can remain in the breast of a judge upon the subject.

The question now before your Lordships stands upon very distinct ground from all the others. It is in proof, that in June, 1780, Mr. Hastings received a present of two lacks of rupees: it is in proof, that even before he did receive it, he told Mr. Larkins, the gentleman to whom the money was to be paid, that he took it for the Company. A similar communication was made to Mr. Markham, in Bengal, immediately; and by the first foreign ship that

failed, to Mr. Sullivan; and to the Directors by the first English ship. What evidence is there on the other side that can induce your Lordships to think that he took this present for himself? According to my judgment, none at all. I have already stated to your Lordships, that after telling his counsel he had advanced his own money, it was absolutely necessary that it should appear on the treasury books as a deposit in his own name: but did that money deprive the Company of the complete use of it, from the instant it was paid in? Certainly not. In May, 1782, the Company were informed that two lacks of rupees, entered in such a page of the deposit journal, was their property. In the same letter they were informed, that certain bonds, numbered so and so, were not his property, but the property of the Company. It cannot, therefore, be said, that Mr. Hastings, subsequent to the date of that letter, could have converted either the bonds or the deposit money to his own use; therefore his not formally delivering up the bonds until he quitted India in February, 1785, was a matter of no consequence: it was equally immaterial as to the deposits. The noble and learned Lord has been pleased to remark, that by not delivering up these bonds, and striking his name from the deposit books, the state of the Company's affairs appeared to be worse than they really were in the year 1783, by six lacks of rupees, or sixty thousand pounds. My Lords, that is not the case exactly, if the fact really were of any consequence. In July, 1783, the Company and Parliament were in possession of full information of those presents. The measure which rendered a full exposure of the Company's affairs necessary, was not brought in until November; and when the deficit

deficit was stated to amount to many millions, this small sum could not have altered the case in any degree.

The LORD CHANCELLOR spoke shortly in reply to Lord Thurlow, in support and explanation of the point of law that he had laid down ; and

Lord THURLOW rose again, for the purpose of declaring that he totally differed with the learned Lord, as to his construction of the law ; but at that late hour of the night he would not enter into a farther discussion of the difference between them. He would reserve what he had to say upon it for their next meeting.

The Earl of CAERNARVON declared, he thought the arguments of the noble and learned Lord, who had, with so much ability and accuracy, gone through the whole of the remainder of the charge, were irresistible : to his mind, at least, they conveyed the strongest conviction ; nor had any thing said by the noble and learned Lord who opened the discussion of the day, tended to weaken that conviction. No man, his Lordship said, could be more conscious than he was of his own inability to contend on points of law with either of the noble and learned Lords ; certainly he would not presume to do any such thing ; but he could not help expressing a great doubt, whether the law could stand as it had been laid down by the noble and learned Lord who had opened the charge (Lord Thurlow.) It appeared to him so singular a proposition, that where a person, situated as Mr. Hastings, in his capacity of Governor General, had been, accepted a present from another, who was dependent upon his power, was not *prima facie*, and of itself a criminal act, exclusive of its being prohibited by the act of 1773, that, in his judgment, uninformed as he was on such matters, it could not be law.

The Earl particularly adverted to the circumstances that marked the conduct of Mr. Hastings, in respect to the present of two lacks, taken from Sadanund, the buxey of Cheyt Sing, and said, they were all of them unaccountably mysterious and obscure, if it were true that Mr. Hastings, from the moment of his taking the money, meant to appropriate it to the use of the Company, as the noble and learned Lord had contended. If such had been his intention, why did Mr. Hastings cause the money to remain so long in the shape of a deposit, altogether useless to the Company in the hands of Mr. Croftes? The measures he took on that occasion appeared evidently to have no other motive than to shuffle off suspicion, or else why so much secrecy? The letter of the defendant to the Directors, dated November, 1780, on which so much stress had been laid, by no means wiped him clean of that suspicion. In that letter he contented himself with declaring, that the money tendered by him to the Board, to defray the expence of Major Camac's detachment, was not his own, but money that had been received by him for the use of the public. The letter neither informed the Directors by whom the present of the two lacks was given, or when, or where: it looked, therefore, and was liable to the suspicion of the letter's being so unsatisfactorily expressed, merely to be used as a shield from detection, and just amounted to enough to afford Mr. Hastings something to take shelter, and to hide behind, whenever that present of Sadanund's, or any other, which he had privately taken, should happen to be discovered. After reasoning pointedly on the letter, as the strongest evidence of the defendant's criminality, the Earl commented on the letter of May 22, 1782, and that of December 16, in the same year; arguing that there was something extremely questionable

questionable in the circumstances relative to both. Mr. Larkins, in his affidavit, swears, that the letter of May 22 was sealed up at the time of writing it, to be dispatched by the Lively, and that it remained closed until the date of the affidavit, viz. December 16, when it was opened. It was very unusual, the Earl said, for a person who wrote a letter, to refer to the inclosures contained, and yet seal his letter, without first putting the inclosures referred to into it. His Lordship also animadverted upon the accounts of the appropriation of the various sums received at different times by Mr. Hastings, and the accounts of Mr. Larkins of the same matters; and, after arguing closely upon all the principal topics alluded to by the Lord Chancellor, his Lordship concluded with declaring, that, in his opinion, had Mr. Hastings wished to conceal all the presents he had taken, he could not have used more art, or exercised more skilful cunning to provide against detection, than he had used in every instance of receiving a present. He therefore believed him guilty of the charge, and should give his vote accordingly.

The Bishop of ROCHESTER said, he could not satisfy his conscience to give a silent vote, or he would not rise at that late hour, but he would detain their Lordships for a few minutes only. He felt himself bound to decide in his own mind by the evidence before him, and he had attended to the evidence as well during the trial, as since it had been printed, with the utmost care and minuteness. In the volumes so often and so necessarily referred to in the course of the discussions in the Committee of their Lordships, in the evidence he saw nothing that could lead him to believe that Mr. Hastings had been actuated by bad or corrupt motives, and he would not allow himself to suppose that any such existed, without full proof
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that they did. He confined himself for the present to the two lacks received from Sadanund, because that appeared to him to be the more proper subject of their Lordships' consideration that day. The result of the whole evidence, as it struck him, was this, that Mr. Hastings was actuated by the purest motives in receiving that present ; that there were perplexities and contradictions in the accounts, he was willing to admit ; they had employed him many hours in his closet, and he was ready to confess that he was not sufficiently master of merchants accounts to unravel them : but he was equally ready to confess, that he drew conclusions from these contradictions totally different from those that had been drawn both by the noble and learned Lord on the woolstack, in the forcible and eloquent speech of that night, and the noble Earl who had just sat down.— In the account given of those bonds by Mr. Hastings, and in the account given by Mr. Larkins, there were differences ; but he believed Mr. Hastings had been mistaken, and that Mr. Larkins's account was the correct one. No noble Lord could believe, that if Mr. Hastings had written a wilful falsehood from Cheltenham, as to the date of the indorsement on the bonds, he would have eagerly sent to Bengal for those very bonds, which the moment they appeared must convict him of misrepresentation. No man can believe that if Mr. Hastings originally received the bonds with an intent to convert them to his own use, he would not, on being induced by fear to alter his mind, have antedated the indorsement to the very day that he received the bonds. The learned prelate said, that he fully concurred in all the reasoning of the noble and learned Lord (Thurlow.) The Managers read a letter from Mr. Hastings, which they pledged themselves to falsify in all its parts ; but they had

had wholly failed to do so. His Lordship then went through the several points of the letter, and said, not only the facts stated in it were undeniable, but no noble Lord could read it, he conceived, without seeing the mind of the writer, and without being convinced that base and sordid emoluments were not the objects that attracted his attention. In this case, where there was, in fact, no evidence, and where all depended upon inference, he must resort to general character; and he had no scruple to say, that the Commons had totally mistaken the character of Mr. Hastings. They charged him with having adopted the various measures, which form the articles, with the view principally of acquiring for himself exorbitant wealth. The learned Prelate said, that not a tittle of evidence had appeared to substantiate such an allegation; but that his character was so completely the reverse, appeared so strongly in proof upon the evidence, that it would be needless to strengthen that evidence by an appeal to the common sense and understanding of mankind on the subject.—He could easily account in his own mind for such a great character as Mr. Hastings, with so much upon his mind, having been uniformly negligent and inattentive to all matters of money, and all accounts that related to money transactions; indeed it was evident that Mr. Hastings was a man who had been uncommonly regardless of money; otherwise it would have been impossible to account for the state of his fortune in every year between 1778 and 1785, to which his attorney had sworn at their Lordships' bar; and what struck me, said the learned Prelate, as extraordinary, when not a single question was put by the Managers. His Lordship concluded a very clear and eloquent speech, with declaring, that he should say *Not-content* to the motion.

TUESDAY, *March 24.*

Lord THURLOW began by saying, that it was his intention to have gone fully into the several points opened by the noble and learned Lord the preceding day ; but that having mislaid his papers, he would endeavour to speak to them from memory as well as he could, sensible that it would be too great an intrusion upon the time of the Committee to delay them a moment on that consideration.

The most material and important point of discussion was the ground upon which the noble and learned Lord had stated, that he thought one question only might be put upon all the remaining presents, as, in his opinion, there was one principle which would govern them all, however they might vary in their circumstances. In the introduction of this principle, which, as far as his (Lord Thurlow's) recollection went, was entirely new in point of discussion, (it having never occurred to either party at the bar during the course of the trial, and certainly not to the prosecutors in framing the impeachment) the noble and learned Lord had laid that out of the case which, in his contemplation of the subject, was the only ground and foundation of the present charge, as sent up by the Commons, namely, the act of Parliament, 13th Geo. III. The principle so introduced, however, and which he was now about to examine, was, if he understood it correctly, this, " That at common law, " the relative situation of the donor and donee of any gift or present, was alone sufficient to constitute the acceptance of such gift " a crime for which an indictment would lie, always supposing the " gift to pass from an inferior in office to his superior ; and that, " without charging it to have been given for brokerage, or stating " any other corrupt consideration in the indictment." To this position

tion their Lordships would recollect he had on the preceding day ventured to express not only his dissent, but some degree of surprise, inasmuch as it appeared to him to be extremely novel, and also to be at variance both with the principles and forms upon which all indictments for corruption, that had fallen under his observation, had hitherto been framed and supported. In adverting to this proposition at that time he had observed, and he was still of opinion, that the relative situation of the parties in all pecuniary transactions of the nature of those in question, was, no doubt, a material ingredient, and that which not only would, but ought to excite a suspicion and jealousy, proportionate to the distance at which the giver was removed from the person receiving the present: but that it was alone sufficient to constitute and to raise the transaction into a crime, was a proposition he never could accede to. Indeed, the more he considered it, and the more he turned it in his mind, which he did assure their Lordships he had done with all the attention he could give it, the more he was convinced, as a lawyer, and in that conviction he had had an opportunity of being fortified by much abler opinions than his own, that it would be impossible to support an indictment at common law against a superior in office for taking a present from an inferior, by merely putting the fact of the present being made, and the relative situation of the parties, upon the record: but that the indictment must go on to state some corrupt consideration as the motive, which corrupt consideration must either be admitted, or proved, as laid. The noble and learned Lord, in support of his proposition in a former debate, had alluded to the stat. 5 and 6 Edw. VI. c. 16. against buying and selling offices, and had drawn an argument from it, as if before that statute the sale of offices

was illegal at common law. But if any argument could be drawn from it, the whole frame of the statute, and more particularly the exceptions in it, afforded an inference the other way; for it is an enacting, not a declaratory statute. It excepts all offices of inheritance: it provides, “ that the chief justices of the King’s Bench “ and Common Pleas, and the justices of assize, may do in every “ behalf, touching any office to be given or granted by them, as “ they might have done before the act; and it allows “ all bargains, sales, &c. of any office concluded before the 1st day of “ March next coming, to be in such force as if the act had never “ been made.” Now, exclusive of the inconsistency which would be imputable to the legislature in allowing the sale of offices for a limited period after the act was made, in derogation of the common law of the land, and a perpetual exception in favour of the chief justices of either bench, and of the judges of assize, it was a known and acknowledged fact, that every one of the very respectable and honourable persons who have filled those several offices, have, from the time the act was made to the present moment, without the smallest imputation or idea of stain upon their character, sold the several offices belonging to their respective situations as they have become vacant, openly and without reserve. Could it then be argued that such sale was an indictable offence at common law; or rather, was not the uniform practice of so many respectable characters a proof of the reverse, and an affirmance of what the common law was in that respect? for the statute only allows them “ to do in “ that behalf as they might have done before the act was made.” It was true, that in a case decided in the Star Chamber, and reported

ported in Noy, the sheriff of Nottingham,* who had given the offices of jailor and bailiff to his servants, who sold them, and gave him the money, was indicted for so doing; and exception being taken that he could not be fined, but that it being an offence created by the statute, he could only be punished as the act prescribed; the court held he might be fined, for that it was *malum in se*, and a crime at common law. But except that decision, which had never been followed or adopted by any authority since, there was no case to be found in the books to warrant such a doctrine. That case, however, as far as it went, was an authority to shew, that if the matter in question were a newly-created offence, as in his opinion it clearly was, there could be no proceeding or judgment upon it, but under the statute. He would next, therefore, proceed to examine the several remaining presents in the charge, and how far they were maintainable under the provisions of the statute, or supported in point of proof.

In the case of Kelloram and Cullian Sing, the Commons had expressly charged that Mr. Hastings took that money as a consideration for letting them certain lands in perpetuity, to the great injury of the East-India Company. In the case of Muny Begum and Nundcomar, the Commons charge that he took bribes for brokerage and appointments to offices. In these instances, the charges are accurately drawn, and it is not true, said his Lordship, that articles

* This case is thus reported in Noy, edit. 1656, p. 102. *Stockwell against North*. N. was sheriff of Nottingham, 43 Eliz. and took money for the offices of jailor and bailiwick, and he first gave them to his servants, who sold them, but he himself had the money; and he was fined for that, for it was contrary to 4 Hen. IV. cap. 5. And also by the court, that that is a corruption, and a great cause of oppression in the officers: and such sale of offices is *malum in se*, and finable.

of impeachment have generally been loosely or inaccurately drawn. On the contrary, they have had all that legal strictness of late years which is required in an indictment. He did not speak, he said, of more ancient impeachments, in which certainly very little attention was paid either to the forms, or the substance of justice. Having concluded the legal argument, Lord Thurlow proceeded to the next head of the charge, upon which he said he would not trespass long upon their Lordships' indulgence, as the evidence, upon it lay in a very narrow compass.

The Commons accused Mr. Hastings of having received a present or bribe of four lacks of rupees from Kellaram and Cullian Sing, or one of them, about the month of October, 1780, as a consideration for letting certain lands in Bahar in perpetuity, to the great injury of the East-India Company.

There certainly, said Lord Thurlow, is no evidence that fixes the receipt of this present, or of the caboodle or engagement for the present, at the period mentioned in the charge. On the contrary, the evidence carries it to a later period.

The evidence proves, that in the month of July, 1780, Rajah Kellaram was permitted by the Patna Council to go to Calcutta, at the desire of Mr. Hastings. On the 14th of November, 1780, the Governor General presents to the Board an arzee from Maha Rajah Cullian Sing, with proposals for renting the province of Bahar. He recommends to Mr. Francis and Mr. Wheeler, the two members present, the acceptance of these proposals. Nothing farther appears to have been done at that meeting of the Board.

On the 15th of December, a letter is read from the Council of Patna, in which they state that they have concluded a settlement,

subject to the approbation of the supreme Council, which is more advantageous than any settlement made for many years past. The secretary is immediately ordered to draw out a comparative view of the two settlements—I mean, my Lords, the proposals from the Patna Council, and from Maha Rajah Cullian Sing.

On the 19th of December, the secretary presents it; and it appears from the comparison that Cullian Sing's proposals are more advantageous than those sent down by the Patna Council. They are therefore accepted. Kelleram, the naib or deputy of Cullian Sing, is called in, and declares his master's assent to the conditions. Khelats are ordered for Cullian Sing and Kelleram, and the Patna Council are informed that the settlement is concluded with Cullian Sing.

The funnud was made mocurey, a term, which the Commons call a grant in perpetuity; but, my Lords, we know precisely what a mocurey tenure is, and how very different indeed from a grant in perpetuity. It was a grant to Cullian Sing, which must have expired at his death at all events; but it was only to continue in force so long as his gifts were regularly paid, and so long as no oppressions were exercised on the inhabitants. He was not permitted to claim as a right any deductions from his stipulated payments, either for drought, inundations, or the ravages of enemies. If any deductions were allowed hereafter, they were to be received as indulgences. Leases in perpetuity are indeed *now* granted throughout Bengal; the rents are on no account to be increased, but to remain invariable so long as the present holders of the land and their heirs shall pay the rents as settled in the year 1791. How it could be injurious to the interests of the East-India Company, for
Mr.

Mr. Hastings to act upon a principle infinitely short of that which has since been adopted by the Company and the King's Ministers, I cannot easily conceive. This part of the charge therefore must fall to the ground.

There is a strange inaccuracy runs through the whole of the Managers' observations on this charge. They first offered evidence to shew the unfitness of Kellaram, as a renter of lands; yet the lease was in the name of Cullian Sing. They next produce evidence to shew that a lease was granted to Kellaram: the evidence proves that it was granted to Cullian Sing, a man of very considerable rank, and son to Maha Rajah Sittabroy, who enjoyed the same unlimited power as Naib Dewan of Bahar, which Mahomed Reza Cawn possessed in Bengal, under the governments of Lord Clive, Mr. Verelst, and Mr. Cartier.

Your Lordships would not permit evidence to be given beyond the point to which I am now arrived. The Managers wanted to prove that Kellaram fell into great balances; but there was nothing charged against Mr. Hastings, to which evidence to such a point could apply; consequently every endeavour to adduce evidence to that point, was a waste of your Lordships' time. And here the whole evidence as to the letting of the lands, stops. It is in substance, that Maha Rajah Cullian Sing having offered to rent part of the province of Bahar, on terms more advantageous to the Company by nearly two lacks of rupees a year than those offered to the Patna Board, the Governor General and Council accepted the terms of the former. It is not to be believed that the Managers, or those whom they employed to draw the articles, would have omitted to charge, that, in the end, the Company lost considerably by this lease,

lease, provided the fact were so. Neither your Lordships, nor the Managers are competent to enter into an examination of an intricate detail of Indian revenues, though we can all comprehend the result. I certainly have seen a paper presented to the House of Commons from the India House, by which it appears, that under Cullian Sing's lease of two years, he paid more money into the Patna treasury by very near sixty thousand pounds sterling, than was paid in under the settlements formed for the two years preceding, by the Patna Council. With this evidence in the Managers' possession, it would have been a very useless attempt to carry the article farther.

I come now, my Lords, to consider the evidence which the Managers have offered, relative to the cabooleat, and the money actually received upon it. The first document to this point is the account inclosed in Mr. Hastings's letter of the 22d of May, 1782. It appears that on the 26th of April, 1781, the sum of two lacks thirty-two thousand rupees was paid into the treasury by the order of Mr. Hastings, under the head of Durbar charges: that is, Mr. Hastings admits the receipt of a present to such an amount, on the Company's account. From the moment the money was so paid in, it became the Company's property, and Mr. Hastings could not interfere with it. The running treasury account, on which this receipt was entered, came to the India House in the month of July, 1782, and did not attract the attention of the Directors. On the 16th of March, 1784, as I have already stated to your Lordships, the Directors desired Mr. Hastings to inform them at what periods the several sums were received which made the aggregate of the account inclosed in his letter of the 22d of May, 1782. Mr. Hastings, unable to give a complete answer to this question from
Cheltenham,

Cheltenham, referred them to Mr. Larkins; but the Directors, satisfied, as it should seem, with the general information which Mr. Hastings had given them, inquired no farther; and there the inquiry would have ended, if Mr. Hastings himself had not written to Mr. Larkins to send to the chairman the only memorandum which he had ever possessed, that could throw a farther light upon the subject. He did so; and if your Lordships will turn to the evidence, page 1153, you will find Mr. Larkins's letter, dated the 5th of August, 1786, and an account accompanying it, certainly very loose and imperfect, but beyond all doubt that account to which Mr. Hastings alluded, as the only memorandum he ever possessed; and it gave a clue to the Directors, to make any farther investigation that they thought proper. Your Lordships will always bear in mind that this account was transmitted for no other purpose than to give a fuller answer to a question put by the Directors to Mr. Hastings on the 16th of March, 1784, than he was able to give them merely from memory at Cheltenham. The Managers, by reading it, have made it evidence. From this account then it appears, that between the 21st of March and the 26th of April, 1781, the sum of two lacks and twenty thousand sicca rupees was received from Patna, and that on the 26th of April two lacks of sicca rupees were paid to Mr. Croftes, the sub-treasurer. If there was no other evidence, this account would be absolutely unintelligible; but, connecting it with Mr. Larkins's evidence, and the note at the foot of the account, it appears very clear, that a cabooleat or obligation for four lacks of rupees had been entered into; that upon this cabooleat two lacks were paid into the treasury by Gunga Govind Sing, and entered by the orders of Mr. Hastings, under the head of Dur-
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bar charges, that is, as I have already stated to your Lordships, entered as a present received by the Governor General on the Company's account. There is not a shadow of evidence to warrant a suspicion that Mr. Hastings himself ever received one rupee upon this caboodle, or upon that of Dinagepore, which, though not in charge, I have explained as fully as the evidence permitted me to explain it on a former day: I mention it again, because the Managers have observed, that the caboodles from Patna and Dinagepore were for four lacks each; that is, in all, eighty thousand pounds, of which only the one half has been paid to the Company. The fact undoubtedly is so; but the Commons, though in possession of all the evidence they now have, two months before they drew this article, have not made it matter of charge, that Mr. Hastings took no measures to recover these balances. If there had been any ground to suspect that these balances had really been paid into the hands of Mr. Hastings, or into the hands of any person in trust for him, I should imagine that the persons who drew out the articles would have charged the fact expressly; it would then have been incumbent upon Mr. Hastings to shew by the best evidence in his power, that all the money which he received, he had paid into the treasury, and that he had it not in his power to receive the balances. As the case now stands, it rests upon his own solemn declaration, that he has accounted for every rupee that came into his hands; and it cannot be believed for one moment, that he would have desired Mr. Larkins to send to the chairman the only memorandum existing, from which it could be known there was any balance, if he had put a single rupee of it into his own pocket. But all observations as to balances are extraneous to any matter in charge.

The noble and learned Lord has laid a considerable stress on the rumour generally prevailing of a present given to Mr. Hastings, by Cullian Sing and Kelleram. He has referred your Lordships to the evidence of Mr. Young, Mr. Moore, and Mr. Anderson. Mr. Young deposed that the rumour was very general, and that in December, 1780, he heard a specific sum mentioned, four lacks of rupees. Mr. Moore says he heard that the money was paid in October, 1781, which must be a mistake. Mr. Anderson swears that he heard the same rumour in December, 1780, and I am sure it must have been from mere accident that the noble and learned Lord (unless he has been misled by his syllabus) omitted to state the most material part of Mr. Anderson's evidence—the part which, in my mind, is decisive upon the question. Mr. Anderson swears that in May, 1781, having again heard this rumour, and thinking it very inconsistent with the character of Mr. Hastings, he mentioned the report to him. Mr. Hastings immediately told him, not to make himself uneasy, or give himself any concern about what he had heard; for whatever sums had been received, had been accounted for to the Company; that he thought it right to take money in that way, at the time the Company was in such great distress, and it might not have been procured in any other way. The Managers did not chuse to pursue this examination farther, and they have adduced no evidence from which your Lordships can conclude that the money might have been received publicly, as a *peethcush* or *nuzzerana*, on behalf of the Company. I profess myself to be utterly ignorant of the manners and customs of the people of India; but as this testimony from Mr. Anderson remains uncontradicted, and as Mr. Hastings himself has said in a letter produced by the Managers,

“ The sources from which these reliefs to the public service have come, would never have yielded them publicly ;” I am bound to believe that this is the true state of the fact, and that the renters and zemindars of Patna, Dinagepore, and Nuddcah, from whom Mr. Hastings privately received near sixty thousand pounds in the years 1780 and 1781, would not have paid those sums publicly to the Company, had Mr. Hastings declined to take them in the mode that they were really given.

I am afraid I have already troubled your Lordships too long upon this charge ; but I have been the more particular, because the Commons have charged this money to have been received as a bribe, in consideration of granting a lease on injurious terms. Your Lordships see that the money was paid by instalments, between the 21st of March and the 26th of April, 1781, and on the last-mentioned day it was paid into the treasury, as a present received by Mr. Hastings on the Company’s account. As he certainly received the money solely for the Company, as there is nothing like evidence to prove that he at any time intended to take this money for himself, and as upon the face of the agreement with Cullian Sing, it appears that he was bound to the performance of every condition, which could be required from him, for the advantage both of the Company and the people, and as his proposals were more advantageous than those transmitted by the Patna Council, I am clearly of opinion that the charge has not been made good. On the charge called Nundoolol’s present, there will hardly be a difference of opinion. That present was carried to the Company’s credit the moment it was received.

Mr. Hastings is next accused of having received a present of ten lacks of rupees from the Nabob of Oude in the month of September, 1781; and as matter of aggravation, it is stated that the Nabob was in great pecuniary distress at the time, and deeply in debt to the East-India Company. The charge in this part also is very inaccurate, for the evidence adduced by the Managers proves, that above one third of this present was made by the Nabob's ministers. It is by no means proved that the Nabob was in a state of great pecuniary distress; that his public finances were in very great disorder, and that they had been so from 1775 to 1781, is out of all question; but if your Lordships will look to the correspondence of the several residents, you will see, that next to the disorders occasioned by the Begum withholding the public treasures from the public service, the distresses of the Nabob's government were owing to the very large sum that he required for his privy purse. It is in evidence that in the œconomy of his household, he would neither permit his ministers, nor the British resident to interfere. A sovereign may be very rich, when the state is poor; and I think it is much more probable that the Nabob himself was in very affluent circumstances, than in a state of great pecuniary distress. But the question for your Lordships to consider will be, whether, under all the circumstances of the case, it was criminal in Mr. Hastings to receive a present of ten lacks of rupees, and to apply it as he did to the Company's service. In this, as in every other instance of the presents, Mr. Hastings affords the Managers all the information that they have given to your Lordships. It appears then, that between the 11th and 19th of September, 1781, Mr. Hastings received from the Nabob and his ministers a present of ten lacks of rupees, of the
currency.

currency of Oude, in bills. It appears also that the first payment upon these bills was made in October, and that in the month of March, 1782, the whole sum was received. It appears also by the letter from Mr. Hastings to the Directors, dated the 20th of January, 1782, from Patna, that such sums as to that time had been received, were expended in the public service, and Mr. Hastings assures the Directors that the remaining sums shall be so employed. The ultimate appropriation of this present he left entirely to them; adding, that if they adjudge it to him, he shall receive it with gratitude. The Directors had the power to do it, in the same manner that they gave the present from Sujah Dowlah to the army. They might have given the Nabob credit for it, as taken in part payment of his debt to the Company; or they had the power to do, what in effect they did—they took it for the Company.

My Lords, for a present received under such circumstances, so applied as this was, and so ultimately appropriated by the East-India Company, Mr. Hastings has been criminally accused, and your Lordships are now to determine his guilt, or his innocence. The evidence upon this charge lies in a very narrow compass indeed, though it has been branched out very unnecessarily I think by the Managers, who at the commencement of their evidence undertook to prove that Mr. Hastings had written a false statement to the Directors on the 20th of January, 1782, when he declared, that though he had accepted the present in September, 1781, and had expended such sums in the public service as he had received, it had up to the date of his letter been in part only, and tardily realized. What possible end it could answer to Mr. Hastings to make such an assertion if it were not true, I cannot conceive; and all the time that
was

was spent in attempting to prove the assertion false, appears to me to have been very uselessly wasted. If the noble and learned Lord had not alluded also to this circumstance, I should not have noticed it at all.

[The LORD CHANCELLOR whispered across the table that there was another expression in the letter, “ a present of the nominal value of ten lacks,” which, coupled with the words tardily realized, had attracted his attention.]

Lord THURLOW proceeded : I am much obliged to the noble and learned Lord for his explanation, but I am still as much at a loss as ever to divine his meaning. The nominal value? My Lords, the expression is highly proper. Mr. Hastings, in September, received a present of ten lacks of Oude sicca rupees. That was the nominal value. It was made in bills, and when those bills were turned into cash, and that cash brought into Bengal currency, then the real value would be known ; and it appears in evidence, that the present netted ten lacks thirty-three thousand rupees and a fraction, about one hundred and three thousand pounds. The meaning of the words “ nominal value ” cannot be misunderstood by any noble Lord who will exercise his own judgment.

If the learned Manager, (Mr. Anstruther,) who asserted that before the 20th of January, 1782, the whole of this present had been received, except a small balance, could have proved his assertion true, I know not to what use he could have applied a fact so proved.

But, my Lords, it has happened in this, as in so many other instances, that Mr. Hastings is completely justified by the prosecutors' evidence.

Mr.

Mr. Wright from the India House produced the Bengal General Journal for the year 1781-2. All the Bengal annual accounts commence on the 1st of May, of one year, and close on the 30th of April of the next year. This General Journal contained an account of the payment of the Nabob's present, and it appeared that in October, November, and December, 1781, a part of this present had been paid, not a half of the whole. Your Lordships will agree, therefore, that the expression of Mr. Hastings, up to this period of time, was very correct. It farther appears that in January, 1782, the sum of four lacks fifty-nine thousand seven hundred twenty-seven rupees and a fraction was received, and the balance, which was seventy thousand rupees, was completely liquidated in the two following months. But, my Lords, after all this trouble had been taken, it was to no purpose; for though the Manager professedly called Mr. Wright to prove that this present, except a small balance, was actually received prior to the 20th of January, 1782, and though he persisted to the last in asserting that the fact was proved, your Lordships, who judge from evidence, will see that the account proves nothing. Mr. Wright could not tell you from his journal on what day in January the great payment was made, and your Lordships, as impartial judges, will rather believe it was subsequent to the 20th of January, than prior to that day; though, from too much zeal, too much prejudice, or too little attention to the cause, the Managers thought proper to assert what they could not prove. To the charge itself, the point is not of the smallest consequence, nor can the ingenuity of man conceive any end that could have been attained by the transmission to the Directors of so silly a falsehood, as the Managers have imputed to Mr. Hastings. But, my Lords,

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the production of this General Journal for the purpose that I have stated, has placed a piece of evidence in the Appendix to the Minutes, that strikes the noble and learned Lord in a point of view so uncommon, that the Managers, with all their sagacity, have not seen it in the same light.

By turning to page 1158, your Lordships will see that Mr. Wright, after he had produced the General Journal that I have already mentioned, was asked if the book contained an account of the expenditure as well as of the receipt of the Nabob's present. He said it did—and he read several items of the expenditure. According to your Lordships' rule, the whole account of the expenditure, as well as the receipt, was entered in the Appendix, and you will find it in page 606 to 628. Referring to this account, the noble and learned Lord says, that Mr. Hastings appears not to have accounted for one lack and a half of rupees of the Nabob's present, and that there are amongst the disbursements, four lacks sent to the resident of Benares, which sum might have been paid back again to Mr. Hastings. I profess, my Lords, I was very much astonished, indeed, to hear such a remark from such a quarter. In the first place, it applies to no matter in charge, consequently if the learned Lord's idea was correct, this court, which can only apply the proofs to the allegations before us, has no more concern with it, than with the story of the bonds. It does not even apply to any observation that fell from the Managers, who did not call Mr. Wright in order to inquire about the balance, but from a fruitless endeavour to prove the unimportant fact that I have already too much enlarged upon. The ground now taken by the noble and learned Lord could not possibly have occurred to Mr. Hastings or to his counsel; but your
Lordships,

Lordships, by turning to the Appendix, will see the case in a moment. It contains the Durbar accounts of Mr. Hastings for one complete year, 1781-2. The nature of this account I will endeavour to explain. The Governor General is entrusted with a variety of public disbursements, independent of the Board—secret services—the pay and entertainment of foreign ministers—presents—kellauts, &c. To meet these disbursements, the Governor General applies to the Council for money, which he cannot receive, but by their order on the treasury; for though Mr. Hastings received presents while he was absent from Calcutta, and gave the Company credit for them, yet, when in Calcutta, he paid all his presents into the treasury, whence he could not draw them again, nor any other money, but by an order of Council.

It appears, then, by the Durbar account in the Appendix, that between the 1st of May, 1781, and the 30th of April, 1782, Mr. Hastings received the sum of fifteen lacks twenty-two thousand seven hundred forty-six rupees and a fraction. Of this sum only fifty thousand rupees was received from the treasury. The remainder consisted of the presents that he received, or money that he borrowed at Benares, and from the resident at Oude. His expenditure for the public service, in the same period, is thirteen lacks seventy-eight thousand one hundred twenty-six rupees and a fraction. This, your Lordships observe, leaves a balance of nearly a lack and a half of rupees in his hands, belonging to the Company. If it had been a charge, or even if a suspicion had been hinted during the trial, that this balance was unaccounted for, he most undoubtedly would have produced the Durbar account for the next year; and the first article entered in May, 1782, would have been this lack and a half as

against Mr. Hastings. I had the curiosity to look at the Durbar accounts down to the 1st of February, 1785, when he quitted India, and I find that they are exactly balanced.

I believe, my Lords, I have now mentioned all the evidence that is of any moment in the three charges; I mean the presents from Patna, Nundoolol, and the Nabob Vizier. They are all, strictly speaking, of the same description. They were all received by Mr. Hastings, as he states, for the Company, at a period of great public distress: they were all entered in the treasury books under the head of Durbar charges, that is, presents received by Mr. Hastings on the Company's account. That they have been faithfully applied to the public service is not to be disputed, and, in my judgment, there is nothing in the evidence that can induce your Lordships to believe he received these presents corruptly; that is, I cannot think we are warranted either by evidence or by fair inference to believe that to be true which the Managers so strenuously urged—I mean, my Lords, that at the time these presents were received, Mr. Hastings did intend to take them to himself, though he afterwards changed his intentions, and gave them to the Company. If, in my conscience, I drew such a conclusion, or if I thought that for a single moment he entertained such an idea, I should at once pronounce him guilty.

The Patna present, as your Lordships will recollect, was paid into the public treasury on the 26th of April, 1781, under the head of Durbar charges, so that Mr. Hastings had no longer any concern with it. He could not draw the money out of the treasury again, and the receipt appears by the treasury books which arrived in England in July, 1782. The two presents from the Nabob and Nundoolol

doolol were accounted for in the manner that I have already stated to your Lordships, while he was absent from Calcutta.

The present from Nobkissen, which is the only one remaining, stands upon a ground somewhat different; for though it was certainly received for the East-India Company, and though the appropriation of it was left completely in their power, yet it was attended, in the mode of receipt, with circumstances which do distinguish it from the other receipts of present. In so far I perfectly agree with the noble Earl (Mansfield,) whose opinions I am at all times disposed to consider with the utmost attention, an attention to which they are fully entitled, not less from the weight which the high character of the noble Earl gives to them, than from the dignified and temperate language, so highly becoming a judge, in which he delivers his sentiments to your Lordships. The noble Earl conceives that each receipt of a present by Mr. Hastings was a breach of the law, but that the known and urgent necessities of the public at the time the presents were received, and their appropriation to the relief of those necessities, justified the receipt of every present, except the last. In the last instance, the noble Earl says, that Mr. Hastings took the money, if not for his own use, certainly for his own convenience.

The charge sets forth, that in the year 1783, Mr. Hastings first fraudulently solicited as a loan, from Nobkissen, the sum of three lacks of rupees; that he afterwards corruptly retained it as a gift or present, under the pretence of discharging certain expences which he had no authority to incur either before or since, and that he has not produced sufficient vouchers to justify his charges.

The Managers, on first opening it, declared that they should offer no evidence upon it:—*Ex ore tuo* the justification or condemnation shall proceed, was their expression. In the progress of the trial, however, farther evidence was given by the Managers, and I will endeavour to state to your Lordships the result of the whole, as it strikes my mind.

Mr. Hastings says, that in 1783, being in want of money for his private expences, owing to the Company not having cash in their treasury to pay his salary, he borrowed three lacks of rupees from Nobkissen.

I will take the liberty to call your attention to the evidence adduced by the Managers, in order to prove the falsehood of this assertion. It is the more necessary, because the noble and learned Lord has expressed his surprise that the Governor General should have any arrear of salary due to him, and in such a manner as to convey an idea to your Lordships, that the noble and learned Lord very much doubted whether a Governor General could suffer his salary to run in arrear. I admit it to be an extraordinary case. Possibly Mr. Hastings conceived that when the different armies in India were enduring the deepest distress for their subsistence, when the officers had coined their plate to support their soldiers as long as they could be supported by such a resource, and when the civil establishments were many months in arrears, it would not be very decent or laudable in him, to exert the influence which his station certainly gave him, in order to be paid in cash, month by month. Of the fact your Lordships can have no doubt, since the Managers in this, as in so many other instances, have effectually justified Mr. Hastings by the evidence which they produced. Whether your Lordships are

to give credit to the Managers for an extraordinary degree of candour, or to believe that those prejudices which naturally attach upon prosecutors have perverted their judgment, or whether they have trusted the production of their evidence entirely to their agents, and were as ignorant as your Lordships of its contents, until read at your bar, I know not, nor is it of much moment to us to discover ; but, by turning to page 1252 of your Minutes, your Lordships will find an account of all the payments made to Mr. Hastings under the head of salary in the year 1783. You will see that he did not receive the salary due to him for January, until the month of August : so that, in truth, he was seven months in arrear until that payment was made. Your Lordships will see that his salary for February and March was paid in September, not in cash, but by transfer ; that is, by a treasury order, or paper, which might, indeed, be turned into cash, at the discount of the day ; and I believe those transfers at that time bore a discount of ten or twelve per cent. The account is continued ; and your Lordships will see, if you take the trouble to turn to it, that in the whole of the year 1783, Mr. Hastings received but one month's salary in cash ; that was for the month of January, and it was paid to him in August.

The next point is, my Lords, that Mr. Hastings desired Nobkissen to call upon him with a bond properly filled up ; but as he was going to execute it, Nobkissen requested him rather to accept the money, than to execute the bond. He neither, as he says, accepted nor refused the present, and his mind remained suspended until he went to Lucknow in 1784, when he determined to accept the present for the Company.

This

This is the account given by Mr. Hastings to the House of Commons, and the noble and learned Lord says it must be taken as the true state of the transaction. It was written by himself, he says, is very short, and involves in it little of argument, or detail. On the point of fact I wish to set the noble and learned Lord right: It is clearly in proof that this part of the defence of Mr. Hastings was not written by himself, but by a gentleman of the name of Baber; and your Lordships, by referring to the evidence of Mr. Scott, which is very full and distinct, will observe, that the general introduction, the charges called the Rohilla war, and the King's tribute, were all that Mr. Hastings wrote himself. I mention this in order to account for the very loose, general, and inaccurate manner in which the transaction is related. Undoubtedly, my Lords, if we had had no other evidence, I should not think any noble Lord determined improperly, if he concluded from the ambiguity of the expression, that in fact Mr. Hastings took the money from Nobkissen without giving him any security of any kind for it: But Mr. Larbins, whom the Managers themselves examined at a very considerable length to this point, clearly and distinctly told your Lordships, that he knew there were two bonds at least, executed; that it was by no means certain that he himself was not a subscribing witness to those bonds; that he gave them after Mr. Hastings had executed them to a fircair of Cantoo Baboo's, to carry them to Nobkissen; that these three lacks of rupees were entered in the private books of Mr. Hastings as a loan, for which bonds were granted, and that they remained in that state in his books until the month of February, 1784, when he made an entry in the books to correspond exactly with the letter which Mr. Hastings wrote in that month to the

Court

Court of Directors. From that time it became a present made to Mr. Hastings, and accepted by him for the Company. He became accountable, consequently, to them for this present.

There is no evidence from which your Lordships can conclude that Mr. Hastings determined to take the money, until the moment he transferred it to the Company. That Nobkissen was in possession of the bonds appears clear to me from Mr. Larkins's evidence. When they were returned to Mr. Hastings by Nobkissen does not appear, though Mr. Larkins says it was long after they were sent to him. There certainly is no ground to conclude that this loan was fraudulently solicited as the charge states, nor do I well comprehend the meaning of the word here. Mr. Hastings borrowed money, and gave a legal security for it. The party from whom the money was borrowed retained possession of that security until he voluntarily surrendered it. Mr. Larkins believes that Mr. Hastings borrowed this money to pay off other bonds, because, says the witness, Mr. Hastings was perpetually embarrassing himself by doing acts of kindness to others.

The latter part of the charge is very material for your Lordships' consideration. Mr. Hastings, in effect, is accused of converting this money to his own use, under a false pretence. It is said, that he had no authority to contract the expences which he opposed to these three lacks, before he made the charge upon the Company; that he has had no authority since, and that he has not produced sufficient vouchers to justify him in making such a charge upon the Company.

The case will stand perfectly clear when fairly stated from the evidence. Mr. Hastings admits, in February, 1784, that he has
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in his hands three lacks of rupees, the property of the Company. He submits to the justice of the Company certain demands which he has upon them, to the amount of those three lacks of rupees. My Lords, it depended upon the Company to allow them or not, as they pleased. The nature of the demands is explained most clearly. The accounts are minutely particular ; and Mr. Hastings, so far from affecting disguise, very fairly and candidly tells the Company, that when these expences were incurred, he had no idea of charging them to the Company. His words are so clear, and convey his sentiments so fully, that I will beg leave to read the remainder of the sentence from the letter itself :

“ Improvident for myself, zealous for the honour of my country,
 “ and the credit and interest of my employers, I seldom permitted
 “ any prospects of futurity to enter into the views of my private
 “ concerns. In the undisturbed exercise of the faculties which
 “ appertained to the active season of my life, I confined all my re-
 “ gards to my public character, and reckoned on a fund of years to
 “ come, for its duration. The infirmities of life have since suc-
 “ ceeded, and I have lately received more than one severe warning
 “ to retire from a scene, to which my bodily strength is no longer
 “ equal, and which threatens me with a corresponding decay, in
 “ whatever powers of mind I once possessed, to discharge the labo-
 “ rious duties and hard vicissitudes of my station. With this change
 “ in my condition I am compelled to depart from that liberal plan
 “ which I originally adopted, and to claim from your justice, for
 “ you have forbid me to appeal to your generosity, the discharge of
 “ a debt, which I can, with the most scrupulous integrity, aver to
 “ be justly my due.”

Your

Your Lordships will determine, whether in point of fact Mr. Hastings went one step beyond what he himself states: "I humbly submit (he says in the same letter) the propriety of carrying these expences to your account." He clearly left it to the Company to allow them or not: suppose, for a moment, they had said, "You ought to have made these demands month by month. We will not admit a contingent bill of so many years standing." In that event Mr. Hastings must have repaid to the Company those three lacks of rupees, their property, which he himself admitted to belong to them, and which merely remained in his possession until he received an answer to his letter: but the charge adds, that he has had no authority since 1784, to appropriate this money to his own use. My Lords, what is the period of time within which a demand, not objected to, shall be taken as fairly admitted? The letter, and the account in question, arrived in England in September, 1784. What were the Directors about? What were the King's India ministers doing? A pointed reference, an appeal to their justice, was made by Mr. Hastings. It was their duty to have disallowed these charges immediately, if they were improperly made.—It was their duty to call for vouchers or farther information, if farther information was necessary. By doing neither the one nor the other, they admitted the demands to be perfectly fair and reasonable, and, in effect, they audited the accounts, and approved the receipt of the present. The counsel of Mr. Hastings have proved that his successors have made similar charges, and upon rather a larger scale of expence; they have made them, I admit, my Lords, wisely and properly, month by month, and have received the amount as regularly as their salaries. Had Mr. Hastings acted with equal pru-

dence and propriety, he not only would have been paid the full amount of the charge that he drew out in 1784, but he would have had a considerable benefit from the interest accruing upon the several sums, in the course of so many years. We do not sit here to try Mr. Hastings for imprudence, but on the charge of corruption in the execution of a great office.

I have now gone through this very important article of the charge. I have stated the effect of the evidence as it strikes my mind, and at a length, which I am afraid has too much trespassed upon your Lordships' indulgence. On the last case, that of Nobkissen, your Lordships have had more information from Mr. Larkins than you possessed before. He satisfactorily enough, I think, accounted for the embarrassments of Mr. Hastings. It might, indeed, very naturally excite surprise, that a man, after possessing the government of Bengal for so many years, and who was not personally expensive, should want, at any time, to borrow money. My Lords, I think it reflects discredit on Mr. Hastings; I think it is the weak part of his character, and that he ought to have left Bengal fairly and honourably, possessed of four hundred thousand pounds, from the known, allowed emoluments of his office, and the accumulating interest upon his fortune. Mr. Larkins has told you, my Lords, that he never could get Mr. Hastings to attend to his private affairs, and he has told you, also, that he was perpetually embarrassing himself by doing acts of kindness to individuals. The Commons, it is true, have charged, that the several criminal acts alledged in the articles, were done with a view of acquiring for himself exorbitant wealth; but when his counsel called the gentleman who managed his money affairs in England, on a joint trust with Sir Francis Sykes and Mr. Waller,

Waller, and when that gentleman distinctly stated the amount of his fortune at different periods, and when he farther stated that he neither knew nor did he believe that Mr. Hastings remitted any money to England, or to Europe, except to these three gentlemen, the Managers did not think proper to ask him a single question. Mr. Larkins, as your Lordships know, managed his money concerns in India. He also was examined at considerable length on all other points by the Managers, except as to the amount of the private fortune of Mr. Hastings. Your Lordships, therefore, can have no reason from the evidence to doubt the truth of Mr. Hastings's representation, that on considering the state of his fortune in February, 1784, he determined to submit to the Company the demand which he conceived to be justly due to him, and at the same time he determined to accept as a present, what to that moment he had considered as a loan. How far Mr. Hastings acted strictly right in transferring to the Company a present, which, from gratitude, and personal attachment, was made to himself, is not a matter in charge, and, therefore, I shall not dwell at all upon it. The noble and learned Lord is certainly mistaken in calling Nobkissen a money-lender, supposing him to apply the expression in the sense generally attached to it. I have understood that Nobkissen was the Persian preceptor of Mr. Hastings, so far back as the year 1750, when they were both very young men; and that he was indebted for his elevation, his present high rank and great fortune, solely to his early connection with Mr. Hastings, which introduced him to the notice of Lord Clive, during whose administration he only stood inferior in point of emoluments, or in political consequence, to Mahomed Reza Cawn. It does not therefore appear extraordinary that Nob-

kissen should have desired his patron rather to accept than to borrow three lacks of rupces from him.

There are two points of view, my Lords, in which the Managers have considered the second part of the charge of presents. I have already stated to your Lordships why, in my opinion, it is impossible to consider them as bribes, that from Patna excepted; in fact, not being so charged, we cannot so determine upon them.

The Managers, and particularly the Manager (Mr. Fox) who summed up the evidence in reply, contended, that from the contradictory accounts which Mr. Hastings had given of these presents, it was clear that he intended for a time to keep them to his own use. I draw the contrary conclusion from the evidence undoubtedly. It is absolutely impossible, in my opinion, that a guilty man could have displayed the eagerness to discover his own guilt that Mr. Hastings has done. The contradictions prove excessive carelessness indeed, but acquit him of every suspicion of corruption, in my mind. If any noble Lord conceives from the evidence and the fair inference arising from it, that Mr. Hastings at the time he took these presents did not *bona fide* apply them to the Company's service, then most unquestionably he took them corruptly, and no subsequent appropriation of them to the public service can wipe away his guilt.

In this, the most important part of the whole impeachment, your Lordships' judgments must ultimately depend upon the opinion which you may form of the character of Mr. Hastings; there is no evidence to guide you—The fact of the receipts of the presents between the years 1780 and 1783 is acknowledged by Mr. Hastings, he was the first person who gave the information of those receipts—

he has been described to your Lordships as a man whose first object was, the acquisition of enormous wealth ; your Lordships have had the principal measures of his administration in review before you. The result of those measures unquestionably has been the preservation of the British empire in India, when a most powerful combination was formed for its destruction.—The extension of that empire, and an increase of its resources of more than two millions sterling a year. In the first division of the presents, Mr. Hastings is accused of having received very large sums as bribes for appointments to offices, and of concealing the receipts of those sums. From this division of the charge, as far as your Lordships have hitherto gone, he has been unanimously cleared.

The branch of the charge now before us differs most essentially from the former.—The aggregate amount of the presents received by Mr. Hastings between 1780 and 1783, exceeds two hundred thousand pounds ; that the whole of this sum was appropriated to the Company's service is fully proved. The question for your Lordships to decide is *quo animo* the sums were received ; if with an intention on the part of Mr. Hastings to apply them to his own use, then the Managers have made good the charge. As the receipts were from different persons, and attended with different circumstances, it became necessary to consider them separately. Your Lordships, as far as you have gone, have determined, that the present from Cheyt Sing was *bona fide* received for the use of the Company, to whose service it was applied.

The presents from Patna, Nundoolol, the Nabob Vizier, and Nobkissen, were all entered under the regular head of Durbar charges, which your Lordships know is the head in the public accounts,

accounts, under which all receipts of presents for the Company ought to be entered.

The presents from Dinagepore and Nuddeah, for which bonds were taken in the name of Mr. Hastings, are not in charge, but as so much was said upon them, I took the liberty to explain the circumstances as they struck me, and in my opinion, the evidence of Mr. Larkins completely exculpates Mr. Hastings from the suspicion of having ever intended to appropriate either the principal or the interest of those bonds to his own use. The bonds never were entered in his private books as a part of his fortune, and his attorney, Mr. Larkins, never received any interest upon those bonds.

No evidence has been produced to your Lordships to invalidate two very material declarations made by Mr. Hastings, which the Managers read in evidence.—The first, that the sources from which these reliefs to the public service were procured, never could have yielded them publicly. The second, that the exigencies of the Company's affairs rendered it necessary to obtain those sums. There is also a third very material assertion made by Mr. Hastings, which the Managers have not endeavoured to disprove—"If I had had a "wrong motive," says Mr. Hastings, "I could have concealed "those receipts from your's and the public eye for ever." Of the very critical situation of India during the period in which these presents were received, your Lordships have had the fullest evidence. I repeat, therefore, that your Lordships' decision must depend upon this single consideration—Whether from all the circumstances which have been adduced in evidence, your Lordships believe, that Mr. Hastings, at the moment he received each present, did or did not *bona fide* receive it for the use of the Company. The very critical
situation

situation of public affairs between the years 1780 and 1783, the great anxiety which Mr. Hastings appears to have expressed in that period to preserve and to extend the empire committed to his care, the necessity which compelled him to raise every rupee in his power for the public service, his total and blameable inattention to his own affairs, which have peculiarly marked his character throughout the whole of his public life—all these circumstances amount to a conviction, in my mind, that Mr. Hastings entertained not the most distant idea of appropriating any of those sums to his own use.

The next point that the Managers stated, and which seems to meet the opinion of the noble Earl (Mansfield) is, that these presents, though received with the purest intention, and though applied, as Mr. Hastings says they were, immediately to the public service, were received in breach of a positive law, and consequently Mr. Hastings must be convicted of a breach of that law.

My Lords, I am not reduced to the necessity of troubling you long upon this part of the case. I shall only say, that it is clearly in evidence that the King's ministers, the Court of Directors, and every person in India, put a different construction upon the law; that Mr. Hastings received presents for the Company, from the day the act took place, which were publicly carried to account—but whether they were right or wrong, a doubt does not remain as to the repeal of the law alluded to by the Manager. Prior to the 1st of January, 1787, if Mr. Hastings had been prosecuted or impeached for the mere receipt of presents under the act of 1773, it would have been an argument, whether the act of 1773 meant to exclude a Governor General from receiving presents, and appropriating

priating them to the public service. But the clause on which the Manager relied, being repealed prior to the impeachment, certainly the mere breach of the law is no longer a question: and if your Lordships are of opinion that Mr. Hastings received these several presents, intending at the time he did receive them to apply the whole to the public service, he must be acquitted. I am justified in my opinion, upon this point, by very great authorities, and I have no hesitation in affirming, that the clause of the act of the 13th, which rendered the receipt of presents an indictable offence, is wholly repealed by the act of the 24th of his present Majesty. I shall therefore only detain your Lordships while I move, “ that
 “ the Commons have made good the first article, in so far as
 “ relates to a present, or obligation, received from Kellaram for
 “ four lacks of rupees.”

The LORD CHANCELLOR said, that having, when their Lordships last sat in the Committee, taken up a considerable portion of their time in going through the various charges, which the noble and learned Lord had so circumstantially detailed, he did not rise to go over them again, but to shew their Lordships that according to the statements to be collected from the evidence, and from the defence of Mr. Hastings, it did not appear that the whole of the money received from Kellaram and Cullian Sing, from Nundoolol and from Dinagepore, had been accounted for by the defendant. His Lordship then recapitulated the parts of the evidence, to which he had referred in his former speech on the subject, and contended that nothing the noble and learned Lord had either alledged as given in proof in Westminster Hall, or argued upon as matter of inference, amounted to any thing demonstrative, that the aggregate re-
 receipt

ceipt had been entirely appropriated to the Company's service. He reminded their Lordships, that he had on the former day shewn that there were two different ways of making up an account of the appropriation of the whole of the money taken in the instances he had mentioned : according to one of them, only five lacks and a half out of nine could be stated to be brought to account, and applied to the Company's service ; according to the other, six lacks might be supposed to be accounted for.

Lord THURLOW desired the learned Lord to recollect, that Mr. Hastings was not accused of retaining any part of these presents ; he had accounted for all that he received. It appeared from the account inclosed in Mr. Larkins's letter, that there were balances unpaid on the Dinagepore, and the Patna cabooleat, but the Commons had not charged Mr. Hastings even with not taking every step in his power to recover those balances for the Company ; still less had they accused him of appropriating any part of them to his own use, consequently the only question for their Lordships' consideration was, whether at the period in which the several sums were received, which Mr. Hastings himself admitted that he had received, he *bona fide* received them for the Company's use, and not with an intention to put them into his own pocket.

Upon the question being put, the chairman declared the *Not-Contents* had it.

Lord Thurlow then moved a second question, respecting the money received from Nundoolol, when the chairman declared the *Not-Contents* had it.

Lord Thurlow moved a third question on the subject of the present from the Nabob and his ministers.

The LORD CHANCELLOR said, that he would make no observation on this charge, having already troubled their Lordships too long upon it; but he rose to reply to what had fallen from the noble and learned Lord relative to the account of Durbar charges; and he still contended, that from those accounts it clearly appeared, that from the presents received by Mr. Hastings there was a balance of nearly a lack and a half of rupees in his hands, unaccounted for—that this Durbar account was not sent home until October 1783; therefore it was clear Mr. Hastings, to that time, had the money in his hands, and for aught that appeared, he had it at this moment.

Mr. Cowper (the clerk assistant) whispered across the table, that the Managers had not produced the Durbar accounts, in order to shew that any balance remained in Mr. Hastings's hands, but to prove that on the 20th of January, 1782, Mr. Hastings had received nearly the whole of the Nabob's present. The Lord Chancellor said, he was obliged to Mr. Cowper for his information, that he was well aware of the purpose for which the Managers introduced it; but being evidence, it was open to him to state to the Court the sense in which it struck him, and the effect it had upon his mind.

Lord THURLOW. My Lords, I am sorry again to intrude upon your Lordships; but this is a matter which has been so very much misconceived by the noble and learned Lord, that I am anxious to explain it, which I trust I shall be able to do completely to his satisfaction, since, from the high situation which he now fills, and which I had formerly the honour to hold, we have been continually in the habit of considering the nature of accounts. In the
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present case, I do not admit that evidence, produced for one purpose, can be considered in another point of view. If the Commons had believed that Mr. Hastings had not fairly accounted to the Company for all the presents that he received, they undoubtedly would have made the omission a matter of charge, and it would have been a very serious accusation, to which Mr. Hastings must have replied by repeating what he has said, that all the sums which he received, he paid into the treasury. But it does not appear that either the Managers or the Commons conceived, there was ground even to suspect that Mr. Hastings had not *bona fide* accounted for all the presents to the Company. Is it to be believed that the Court of Directors or the Board of Controul would have asked no explanation of Mr. Hastings, if it appeared on the face of a public account that he had a lack and a half of rupees belonging to them in his possession? Your Lordships will see that these accounts only go to a given period, from the 1st of May, 1781, to the 30th of April, 1782, and in that given period it appears that Mr. Hastings received about one hundred and fifty thousand pounds of the public money, and expended in the public service about one hundred and thirty-five thousand pounds; consequently, in the accounts of the next year, he must either have expended fifteen thousand pounds in the public service, or he must have paid that sum into the treasury. From the instant he charged himself with the receipt of one hundred and fifty thousand pounds, the Council in Bengal, and the Company at home, would take care that he paid that money into the treasury, or accounted for the expenditure of it in the public service. Had a doubt been even hinted on this subject, while the parties were at your Lordships' bar, the production of Mr. Hastings's Dur-

bar accounts for the next year would have removed them instantly ; for in May, 1782, he charges himself with the balance of fifteen thousand pounds, and satisfactorily accounts for it in the succeeding months. But the noble and learned Lord says, that this account is not sent home until October, 1783, and consequently, Mr. Hastings retained the balance to that time. I am sure the noble and learned Lord will immediately discover his error. The book produced by Mr. Wright was the Bengal General Journal for the year 1781-2. Though it is the custom to send home, as appears by Mr. Larkins's letters, running treasury accounts every year, if not by every ship, yet the general books are always considerably in arrear ; and this General Journal, which is a book of great size, containing many hundred pages, of which the Durbar accounts occupy only from the 280th to the 303d page, was not sent to England until October, 1783, and on that day its contents were authenticated by the signatures of the Governor General and Council. But the learned Lord will see in a moment that it is not an account down to October, 1783 ; it begins on the 1st of May, 1781, and ends the 30th of April, 1782. The date to which the learned Lord alludes is October, 1783. The time that the Governor General and Council authenticated an account of public disbursements which were made between the 1st of May, 1781, and the 30th of April, 1782. It is absolutely impossible that the noble and learned Lord can mistake a matter so very clear in itself, equally impossible is it for him to suppose, that because Mr. Hastings was indebted fifteen thousand pounds to the Company on the 1st of May, 1782, the Council in Bengal, or the Directors at home, would not have called upon him to pay that balance, unless it had appeared by the next year's

year's accounts, that is, from the 30th of April, 1782, to the 1st of May, 1783, that the balance was expended in the public service, or paid into the treasury. I state this to make the point clear to the learned Lord. It has nothing to do with the case before us: the account to which the learned Lord alludes, is not even in evidence before us, and if it were, it would apply to no matter in charge.

The LORD CHANCELLOR rose again, and still seemed to think that his former argument had not been fully answered, and that there yet remained a lack and a half of the Vizier's present, unaccounted for by the defendant.

The Archbishop of YORK rose the moment the Lord Chancellor had sat down; he said, that in his time he had been a great reader of ancient history, and the present conversation reminded him of the case of Cato the censor, one of the honestest, and the best men, that the Roman republic had ever produced. Yet that great man, after having filled the first offices in the state with the highest reputation, was impeached. He was impeached forty times, and he was attacked by a factious demagogue of his day, relative to the *item* of an account. When last impeached, he was eighty years of age, and he reminded his prosecutors, that a generation of men that had not witnessed his services, were prosecuting him for trifles. What was the case with Mr. Hastings? No consideration for his high character, no consideration for his splendid and important services—for the esteem, love, and veneration, in which he was held by the millions that he governed for so many years. No, my Lords, he is treated not as if he were a gentleman whose cause is before you, but as if you were trying a horse-stealer.

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The LORD CHANCELLOR immediately rose, and said there was no noble Lord present who felt greater respect for the talents and virtues of the learned Prelate than he did, or who was more disposed to consider with attention any thing that fell from so respectable a quarter. But he trusted the learned Prelate would consider the situation in which he as well as their Lordships stood at that moment. Those who considered the services of the gentleman whose case was before them, to be as splendid and important as the learned Prelate conceived them to be, would have acted wisely in not preferring the present impeachment, undoubtedly, provided they could have prevented its being preferred at all. But in the present stage of the proceeding their Lordships were precluded from saying one word of the services of Mr. Hastings, and still more were they precluded from taking them into consideration. They were trying the case alledged, and not the person of Mr. Hastings. He was impeached on certain specific charges, and their Lordships were now* to determine between the prosecutors and the defendant, as judges, taking into their consideration the whole of the evidence. It had been determined, and very wisely in his opinion, to take the charges point by point. While he was delivering his sentiments on any one of those points, he naturally confined his remarks to the subject before him, and in so discharging his conscience, he could not suffer his respect for any noble Lord, however high that respect might be, to draw him aside from the strict line of his duty; but at the same time he could assure the learned Prelate, that he meant no more than to give his sentiments on each point to their Lordships, merely to justify himself in their opinions, for the vote which he should ultimately give.

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The question was called for, and the *Non-Contents* had it.

The chairman (Lord Walsingham) then read the next question.

The Bishop of ROCHESTER said, he could not satisfy his conscience by giving a silent vote on the residue of the sixth article, all the charges in which did not stand precisely on the same grounds. With regard to the custom of taking presents, it had been a custom in the East, prevalent in all times ; from the most ancient down to the times of the present day. He learnt from that sacred book, which it more immediately became him, from the duties of his profession, to study most frequently, that it was the custom of the East to bring presents to the ruling prince, and that the custom obtained to such a degree, that to neglect to bring them was considered sufficient to bear out the construction of acting disobediently and contumaciously ; and to bring them freely and in abundance was held a proof of the great esteem with which the sovereign stood with his subjects.

The Bishop cited the two following passages from scripture in illustration of his argument :

1st Book of Samuel, xth chapter, 27th verse : “ But the children
“ of Belial said, How shall this man save us ? and they despised
“ him, and brought him no presents, but he held his peace.”—(The Bishop said, the children of Belial, he presumed, were the Jacobins of those days.)

1st Book of Kings, xth chapter, 24th and 25th verses : “ And
“ all the earth sought to Solomon to hear his wisdom, which God
“ had put into his heart.

“ And

“ And they brought every man his present, vessels of silver, and
 “ vessels of gold, and garments, and armour, and spices, horses,
 “ mules, a rate, year by year.”

Having laid some stress on this proof of the custom of offering and receiving presents in the East in the most ancient times, his Lordship said, it was not all; that the practice still prevailed in the East; and he saw not how Mr. Hastings could, without offence to those who offered presents to him, refuse to accept those presents; and therefore where he received them in moments of great and urgent state exigency, and applied them to the Company's service, he really saw not how he could reasonably be found guilty of a high crime and misdemeanor. This he thought applied to the various presents received from Kellaram, Nundoolol, and the Vizier; and therefore he had not the smallest difficulty to say *Not-content* to those charges.

Nobkissen's case certainly stood on different grounds from the rest. The money was there clearly proved to have been borrowed in the first instance for the private purposes and convenience of Mr. Hastings; and it was in evidence, that he had executed bonds, and that they had been given to Canto Baboo to deliver to Nobkissen. It certainly does not appear in evidence when these bonds were re-delivered up and cancelled; but neither does it appear that they were not so delivered up to Mr. Hastings; and therefore the Committee was not entitled to presume an inference not supported by evidence. Mr. Larkins in his examination throws some light on the subject, and rather serves to shew that the bonds were regularly and duly executed, and afterwards re-delivered, when Mr. Hastings consented to accept
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the three lacks as a present to the Company, rather than as a loan to himself.

There was one point of view, however, in which the transaction might be regarded, that had not, he believed, been suggested by any of their Lordships, and that certainly did not place it in the most favourable light for Mr. Hastings. The Bishop said, he meant as a transaction between Nobkissen and Mr. Hastings, as between a man and his friend. It could scarcely be imagined, that when Nobkissen told Mr. Hastings, he had rather he would accept the money than execute the bond, he meant to make it a present to the Company; what he meant was, in all human probability, to present it to Mr. Hastings for his own private purpose and convenience, from a sense of obligations that he was under to Mr. Hastings when he was a very young and obscure man. For the Governor General therefore to turn the money over to the Company as a present to them, was not using his friend well. The transaction however was not charged in that view of it in the article, and therefore their Lordships could not travel out of the impeachment to find guilt in the defendant; they were bound to judge only of the facts as they were criminally charged, *secundum allegata et probata*. For which, and the other reasons he had stated, his Lordship declared he should say *Not content* to the question.

On the question being put, the *Not-Contents* had it.

TUESDAY, *March* 31.

The House being resolved into a Committee at half past three, and Lord Walsingham in the chair,

Lord THURLOW rose to state to their Lordships the effect of the evidence, as it struck him, which the Commons had given on the article entitled Contracts and Allowances. Your Lordships will observe (said Lord Thurlow) that these charges close the impeachment, no evidence having been offered on the remaining articles. I hope therefore that I shall not be under the necessity of going into any great length upon the present occasion. Your Lordships will recollect, that in the preamble to the impeachment, Mr. Hastings is described as “having entertained base and corrupt views of procuring for himself and his dependents exorbitant wealth, and arbitrary designs of raising himself by means of the undue influence so acquired, to excessive power, as well to gratify his inordinate ambition as to secure himself from punishment for the many unjustifiable acts by him done and committed.”

Your Lordships at one time have heard the gentlemen who held the contracts and agencies represented as the dependents of Mr. Hastings, and at another as persons possessing such powerful connexions in England, that in providing for them, he looked to his own future security.

The defendant is accused in the article now before your Lordships of a wanton waste of the public money in five instances only, during a government of thirteen years.

The first, is the opium contract, granted to Mr. Sullivan in 1781.

The second, the bullock contract, granted to Mr. Croftes in 1779.

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The third, the extra allowances to Sir Eyre Coote.

The fourth, Mr. Auriol's agency for supplying Fort St. George with provisions.

And the fifth and the last, Mr. Belli's agency, for laying in extra provisions, for the use of the garrison of Fort William in the event of a siege.

The first charge recites, that having granted the opium contract to Mr. John Mackenzie, without advertising for proposals, Mr. Hastings did, in the year 1781, grant the same contract to Mr. Sullivan, on terms glaringly extravagant, and wantonly profuse, for the purpose of raising an instant fortune for Mr. Sullivan, the son of Lawrence Sullivan, Esq. who was then, or about that time, chairman of the East-India Company: that Sullivan never did execute the contract; but sold it to Mr. Benn, for thirty-five thousand pounds, who sold it to Mr. Young for fourteen thousand nine hundred pounds a year.

This is the first, and indeed the only material article in this charge.

It appears by the evidence, that from a very early period, the article of opium was a monopoly in the hands of individuals; and from the year 1761 to 1773, the Chief and Council of Patna held it for their private emolument.

Mr. Hastings, who was at Patna in the month of October, 1773, after his conference with Sujah Dowlah, at Benares, turned his attention to this subject, and was the first person who entertained the idea of converting this monopoly to the public service. In consequence of his letter to the Board in Calcutta, it was determined, in December, 1773, to grant the exclusive monopoly to a man of

the name of Mheer Muncer, the agent of the Patna Council, who was to furnish all the opium that the Bahar province produced, at three hundred and twenty ficca rupees the chest, and to deliver it at Calcutta free of all charges. Supposing the average price of opium at the Company's sales to be five hundred and fifty rupees the chest, this gave the Company a very large profit, and it did not immediately deprive the Council at Patna of an emolument of office which had existed for so many years, and of which they were not dispossessed by any order from the Court of Directors.

In the spring of 1775, the Supreme Council deliberated upon the mode of managing the opium monopoly in future. This was but a few months after the arrival of General Clavering, Colonel Monson, and Mr. Francis, who felt those honest prejudices very strongly, which the word monopoly so naturally and justly excites in the breasts of Englishmen. But after the fullest consideration, they conceived with Mr. Hastings, that, for some time at least, opium must be a monopoly, and consequently it was right that the public should enjoy the benefit of it. They wrote to the Chief and Council of Patna, requiring their sentiments as to the best mode of collecting the opium revenue in future. Your Lordships will find the answer in page 2220 of the evidence, and it is exceedingly important. The Patna Board assign unanswerable reasons why the monopoly ought to be continued. They state the price paid for opium lands to the farmer, the price of opium per maund in its first state, the expence of manufacturing it; and they say, that by the time it is manufactured into cakes, it costs the contractor from ninety to one hundred and ten rupees a maund, that is, from one hundred and eighty to two hundred and twenty rupees a chest. They say, therefore,

fore, that if it were contracted for by the Company at two hundred and thirty or two hundred and forty rupees a chest, it would yield an immense profit to the Company, and they think, with the laws fully enforced against smugglers of opium, three thousand three hundred chests might annually be procured.

They tell the Governor General and Council that these observations are the result of the strictest inquiries, and that they have no view to their own private advantage in advising them to contract for the purchase of opium at two hundred and thirty or two hundred and forty rupees the chest.

After the receipt of this letter, Mr. Hastings proposed that the whole produce of opium should be manufactured for the Company's use; that strict measures should be used to prevent smuggling; that the Chief and Council of Patna, or an individual, if the Board preferred the latter, should provide all the opium by agency, and be allowed a certain commission, on the sum ultimately netted by the Company, from the sale of the opium in Calcutta. My Lords, this proposition is well worthy your attention. Your Lordships will find it in page 2221; you will see the reasons assigned by Mr. Hastings for preferring an agency to a contract; and by carrying his principle to another branch of revenue, I mean the salt, in the year 1780, he created a revenue where none existed before, and which amounts now to above nine hundred thousand pounds a year.

The majority determined, however, that the opium should not be provided by agency but by contract, and an advertisement was accordingly issued, inviting all persons to offer proposals. There were thirteen different offers, and the lowest were accepted—a

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Mr. Griffith for the Bahar opium, and a Mr. Wilton for the opium, all of which is of an inferior quality, produced in Bengal. The reasoning of the different members of the Board clearly shews, that they conceived they had really fixed the contract upon the fairest terms, leaving a very considerable profit to the Company, and a very moderate one only to the contractor. Mr. Francis, in describing the peculiar nature of this contract, and the power which the contractor was necessarily invested with, says, he thinks it unadvisable to engage on very low terms with any contractor. I beg your Lordships will give this remark the consideration it deserves, for I am convinced that every Member entertained the same sentiments, and it never did occur to any one of them, that the general orders of the Company for making contracts annual, and granting them to the lowest bidder, could apply to this branch of public revenue.

Before the expiration of the year, for which period the contracts were granted to Mr. Griffith and Mr. Wilton, the Governor General and Council, on their application, continued the contract to them for another year. Here, my Lords, was the first disobedience of orders, and here the charge, on the principles in which it is drawn, *ought to have commenced*—but the Managers and the Directors have passed silently over *this instance* of disobedience.

In the spring of the year, 1777, Mr. Mackenzie, a gentleman who was but just arrived in Bengal, applied to the Governor General and Council, and offered to take the opium contract for three years, on the terms that Mr. Griffith and Mr. Wilton had held it, with this difference, that he engaged to pay the Company ten thousand sicca rupees a year, as a condition for any advances of cash that he might want, in order to fulfil his contract within the year.

year. The Board instantly agreed to accept Mr. Mackenzie's proposals. It neither occurred to General Clavering, nor to any other member, that this contract ought to be exposed again to the competition of the adventurers abounding in Bengal. If it were very unadvisable, as Mr. Francis states, to contract on very low terms in 1775, it was equally so in 1777; and the Board then conceived that the fair price was fixed.

Though General Clavering proposed to insert a clause in the contract of Mackenzie, that it should determine, provided the Court of Directors thought proper to abolish the monopoly altogether, he made no sort of objection to the terms of the contract, nor to the period of three years for which it was granted. Yet General Clavering, of whose merits as a soldier, and of whose unfulfilled honour, as a gentleman, I have the highest opinion, was at all times, as your Lordships well know, a strenuous advocate for a literal obedience of the Company's orders, as to the mode of making contracts.

Before Mr. Mackenzie's contract expired, a letter was received from the Court of Directors, dated the 23d of December, 1778, to which I beg leave to refer your Lordships: It is in page 1305 of the evidence, and it really appears to me, that they took up the subject, which it appears from their letter they did not understand, more with a view of finding fault, whether with or without cause, than from any other motive. They tell the Governor General and Council, that after the experience of two years in providing opium by contract, they should have ascertained whether the price hitherto paid was reasonable, by advertising for other proposals, or have
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made previous inquiry ; but, as it appears to them they did neither, they must disapprove of their conduct on that occasion.

It is absolutely impossible, my Lords, that the Directors could have written such a paragraph if they had read, or having read, if they had considered, the steps taken by the government of Bengal on this subject. It never occurred to the Directors to make the opium monopoly a branch of the public revenue. They were solely indebted for it to the care and attention of Mr. Hastings. The mode proposed by Mr. Hastings in 1775, would have enabled the Board to know exactly the value of opium. He proposed to conduct the business by agency, and that agency to be placed in the hands of a man of honour. The Company, if his idea had been adopted, would have known the full value of the opium monopoly, as well as under a similar system adopted by Mr. Hastings, they now know the value of the salt monopoly. The majority preferred the mode of conducting the business by contract, and Mr. Griffith got it as the lowest bidder—one hundred and eighty rupees the chest, with some small additions. Your Lordships will see that this was considerably below the price which the Patna Council supposed it would actually cost the contractor. The Board were at least justified from their information in believing, that they had made as good a bargain for the Company as ought to have been made, consistently with Mr. Francis's principle, which seems to have been the principle of every member. The letter of the Directors on which the Managers laid so much stress, goes upon false grounds, upon an idea that no previous inquiries had been made, when, in truth, every pains had been taken to acquire an accurate knowledge of the subject, prior to the grant of the first contract to Mr. Griffith. Under all the circumstances,

cumstances, therefore, I think that the Governor General and Council were clearly right in granting the contract to Mackenzie in 1777, without advertizing for fresh proposals. But, my Lords, it is necessary to remind you of one very material piece of evidence which the Managers omitted to bring forward. The letter from the Directors arrived in Bengal at the close of 1779, condemning Mackenzie's contract. In April, 1780, Mr. Mackenzie applied to the Board for a renewal of his contract for another year, and his request was instantly granted. The members of the Board at that time were Mr. Hastings, Mr. Francis, and Mr. Wheeler, the two last gentlemen forming the majority. The Commons, by some strange accident, have passed over this instance of disobedience of orders; if it had been noticed, Mr. Francis undoubtedly would have said, that the Directors had condemned Mackenzie's contract only under the idea that previous inquiries had not been made; whereas, in point of fact, the subject had been fully investigated, and, consequently, the condemnation being founded on a misapprehension of the Directors, had not influenced him in 1780, when he consented to renew the contract to Mackenzie. I say, my Lords, it was by a very unfortunate accident that the Commons forgot altogether to notice this second contract of Mr. Mackenzie, because it deprived Mr. Hastings of the able assistance which Mr. Francis could have given in defence of the measure.

I now come to the only contract which *is* charged to be criminal, and your Lordships will judge whether in any one point it differs from those contracts which are *not* charged to be so.

In the month of May, 1781, Mr. Hastings proposed that the opium contract should be granted to Mr. Sullivan for four years, on

the same terms that Mr. Mackenzie had held it. The terms of the two contracts being the same, the period for which they were held being the same, I am utterly at a loss to know on what grounds Mr. Hastings is charged with granting the latter contract on terms “ glaringly extravagant and wantonly profuse.” Mr. Griffith and Mr. Wilton held the contract for two years, not as matter of favour the first year, but because they were the lowest of thirteen bidders. The second year they held it by an act of the Supreme Council in the same manner that Mr. Mackenzie and Mr. Sullivan afterwards held it. The charge, indeed, states that it was granted to Mr. Sullivan for the purpose of creating an instant fortune for him; but there is no proof that this was the case; on the contrary, it is fully established both by the positive denial of Mr. Hastings, and by the evidence of Mr. Benn, that of the transaction which the Managers have proved, Mr. Hastings was utterly ignorant. It appears that Mr. Sullivan sold this contract to Mr. Benn for thirty-five thousand pounds, and that Mr. Benn re-sold it to Mr. Young for fourteen thousand nine hundred pounds a year, which gave Mr. Sullivan and Mr. Benn between them, a profit of fourteen thousand nine hundred pounds a year, for four years. Unless the Managers could have proved that Mr. Hastings was privy to this bargain and sale, there is not a shadow of difference between the contracts of Mackenzie and Sullivan. The simple question, therefore, will be this: after the Directors had expressed their disapprobation of the first contract granted to Mr. Mackenzie, because it had not been advertised, nor, as it appeared to them, had any previous inquiries been made to ascertain the fair price, was it criminal in Mr. Hastings to grant the contract to Sullivan for four years? I think clearly not; because,

because, after the receipt of the Directors' letter, the Supreme Council gave the contract to Mackenzie for a fourth year, and because, as I have already stated to your Lordships, the Directors were manifestly in an error, when they supposed that no previous inquiries had been made to fix the fair value of the contract. That the Governor General and Council were deceived, is perfectly true; but the error was general. Your Lordships will recollect the letter of the Patna Board, whose members positively affirm, that opium could not be made, but from one hundred and eighty to two hundred and twenty rupees a chest, the average price being two hundred rupees. You have had a gentleman at your bar, Mr. Law, who was many years a member of the Patna Council; he has told you that when it was a monopoly for the advantage of the Patna Council, they gave two hundred rupees a chest for it, which agrees with the information of the Patna Council; so that with all the advantage of local knowledge, and with all the influence attached to station and power, they gave more for their opium than the Company did under the contracts of Griffith, Mackenzie, and Sullivan. I have reason to believe that the real secret of the profit upon opium was this, that the contractor bought his opium from the ryots by one weight, and sold it to the Company by another.

In truth, my Lords, there is no difference whatsoever between the contracts of Mackenzie and Sullivan; both were granted, as I said before, for the same period of time and on the same terms. The charge alleges, that Sullivan possessed neither knowledge nor local skill in that particular manufacture—His knowledge must at least have been equal to Mr. Mackenzie's, who was but just arrived in the country when he got the contract: but it is said also in the

charge, that Mr. Sullivan never did execute the contract. The same may be said of Mr. Mackenzie—both of them were contractors, and both equally responsible to the Company. Mr. Mackenzie managed the contract through a Mr. Campbell at Patna—Mr. Sullivan through Mr. Young. Suppose it had been proved, which it is very likely was the case, that Mr. Campbell paid a specific sum of money annually to Mr. Mackenzie for this contract; would that circumstance reflect dishonour on the memory of Sir John Clavering, who joined in that unanimous vote by which Mackenzie obtained the contract in 1777? or, would it be a reflection on Mr. Francis, who renewed the same contract to him in 1780? Assuredly not, my Lords. In the case of Mr. Sullivan, the Managers have not advanced one step by proving that Sullivan sold the contract to Benn, and that Benn re-fold it to Young. Unless they had proved the privity of Mr. Hastings to these transactions, the other circumstances go for nothing.

There are other allegations in the charge necessary to notice to your Lordships; Mr. Hastings is accused of destroying certain checks fixed by the former contracts, and to have done so in order to make this contract more saleable: one is, that he omitted to insert in Sullivan's contract a material clause in Mackenzie's, that the contract should be void, if disapproved by the Directors. My Lords, if this were a true description of the clause in Mackenzie's contract, the allegation would indeed be well founded; but the clause in Mackenzie's contract was of a very different description from that stated in the charge. The contract was to be void, provided the Directors ordered the monopoly to be abolished; and in 1777 it was referred to them to determine whether the monopoly should be continued or

not, the Board giving it as their opinion that it must continue. In their letter of the 23d of December, 1778, the Directors acquiesce in the continuance of the monopoly; consequently the clause specifying that the contract was to be void in the event of their abolishing the monopoly became nugatory.

The next instance of favour to Sullivan is stated to consist in the abolition of the office of inspector at Patna. My Lords, this was done in Mackenzie's time, when it was found to be an useless and troublesome office there—but it was established in Calcutta, infinitely more to the advantage of the Company, though with additional responsibility to the contractor. This was a sensible change; and the mode adopted in 1780 for inspecting the opium, is continued to this day.

Another allegation in the article is, that for the purpose of advancing money to the contractor, and in order to favour certain individuals, a loan was made in Bengal in the year 1781, and the Company were engaged in a smuggling adventure to China, on the pretence that there was little demand for opium in Calcutta, though in point of fact there were persons in Calcutta who had authority to bid for the whole, or the greatest part of the opium.

As the Managers did not attempt to support the last assertion by any proof, I conclude they found out the blunder of the agent who drew the article, before they came into your Lordships' court. Why the Commons should have charged that the loan which they state was made to favour certain individuals, or to advance money to the contractor, is, I do assure you, my Lords, far beyond my comprehension. The transaction itself is perfectly simple, and, as I should think, impossible either to be misrepresented or misunderstood.

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In the year 1781, the produce of one year's opium was lying unfold in the Company's warehouses in Calcutta, and owing to very obvious causes. The tonnage of the port of Calcutta was principally employed in transporting provisions to Madras, and private merchants were afraid to export opium on their own account to China, and the eastern islands; the Indian ocean being at that time infested by French and Dutch cruizers.

Under such circumstances it was proposed to freight two ships with opium on the Company's account; one to Canton, and another to the eastern islands. The proceeds of these cargoes were to be paid into the Company's treasury at Canton, for the purpose of purchasing teas for the sales at the India House. Upon the credit, therefore, of this supply, the Bengal government conceived they might with propriety draw bills upon the Company, first for ten lacks, and afterwards for a second sum to the same amount. Accordingly a proclamation was issued, advising the civil and military servants of the Company generally, that the treasury in Calcutta was open for the receipt of money for certificates on Canton, which would there be exchanged for bills upon England, and advising all who chose to remit money, to send in their names to the secretary at a given period. I was first at a loss to know upon what grounds this plan could have been charged, as undertaken with a view to favour certain individuals; but upon referring to the evidence, I found that the Managers have inserted a letter written by Mr. Hastings from Chunar, in which he incloses a list of the names of the civil and military servants of the Company, who were then at Chunar, and expresses a hope that they may not be excluded from the advantage of the remittance to Europe. Perhaps it may not be necessary

cessary to inform your Lordships, that by the regulations of the Company's service, every person in their civil and military employ has a right to his proportion of a remittance to England through the Company's cash. All, therefore, that Mr. Hastings did, was to request that the gentlemen then at Chunar might not be deprived of a privilege common to the whole service; and this the Managers have so mistaken, or rather their agents have so mistaken it, as to charge the loan itself to be made in order to favour certain individuals. The whole scheme, in my opinion, was a very wise and a very laudable one: it gave the Bengal government the immediate use of twenty lacks of rupees, when the want of money was most severely felt—it enabled them to export a commodity, for which there was no sale in Calcutta—it threw a large supply of cash into the treasury at Canton—and it enabled the Company at home to pay the bills exchanged for the certificates sent from Bengal to Canton.

The ship freighted for Canton arrived safe; her cargo was well sold, though to less advantage than it ought to have been—the supra-cargoes laying the blame upon the captain of the Bengal ship for not obeying his orders, and he as loudly insisted upon it that it was their fault the opium did not sell at a much higher price. The other ship, freighted to the eastern islands, sold a part of its cargo at a very high profit indeed; and would have sold the remainder equally well, if she had not been treacherously taken in a neutral port. But, my Lords, this is called a smuggling adventure, because opium is forbidden, by a municipal law of China, to be imported into that country, under pain of death. It is proved, however,

ever, that this law is obsolete—that opium is publicly landed, and sold in the middle of the day at the port of Canton: and at this moment the greatest encouragement is held out in Bengal, for the importation of opium into China, for the purpose of enabling the supra-cargoes at Canton to purchase teas for the London market. The only question then will be, whether it was a high crime in Mr. Hastings, during the pressure of the war, to make the Company do that act publicly, which the Directors and the Board of Controul have urged the government of Bengal to endeavour, by every possible means, and to every possible extent, to get done by individual merchants. It was confessedly a temporary expedient in 1781; but it is by no means clear, that it would not have been wise in the Company to continue the export of opium on their own account. Colonel Watson, the chief engineer of Bengal, who originally suggested the plan, says, in page 2251, that under every disadvantage of a first experiment, and of very great mismanagement, it enabled the supra-cargoes at Canton, in the height of the war, to purchase several cargoes of tea, without draining Bengal of one rupee; that the Company were enabled by it to load all their ships with tea; and finally, became very great gainers at the close of their sales in England. The Colonel adds, that he is aware of all the objections and difficulties then started in Bengal, and also of the animadversions made upon the measure in England; but as they arose out of the private views of interested men, or the dreams of ignorant pretenders, such arguments and observations were no longer worthy the consideration of the Governor General and Council—their futility having been fully evinced.

Mr.

Mr. Hastings and his Council tell the Directors, that they well knew of the law which prohibited the importation of opium into China, on pain of death; but they also knew that it was a commerce publicly encouraged by the Chinese government: they add, that it was a temporary expedient—when, in fact, opium would not sell in Calcutta upon any terms; that in future, however, they shall dispose of their opium in Calcutta; that in the present year, 1783, the profits would be six lacks of rupees, and would have been double, had there not then been many French cruizers in the bay of Bengal. Your Lordships will see how considerably the profits upon opium were increased on the restoration of peace in India. I believe, my Lords, I have already gone through every material point in this head of the article: and as the Managers have totally failed in making good the material allegation, that the opium contract was granted to Sullivan for the purpose of creating for him an instant fortune—and as it is clearly established by the evidence, that he held it precisely upon the same terms, and for the same period that Mackenzie had held it—and as the Governor General and Council had every reason to believe, there was nothing left to the contractor beyond a fair and mercantile profit—I shall certainly say *Not-content* to the motion, which I shall submit to your Lordships, on this head of the charge.

Upon the next point, I flatter myself that I shall not have occasion to intrude very long upon your Lordships' indulgence.

The accusation is, that in the year 1779, without any complaint from the contractor, or from the army, that a bullock contract, then existing, was inadequate for the regular supply of the service: Mr. Hastings annulled an existing contract, and concluded another

with Mr. Croftes, his confidential friend and agent, on terms infinitely higher than those of the preceding contract, at an additional expence to the Company of fifty thousand pounds a year, or near that sum; and, by so doing, created a wanton and most enormous expence to the Company. Surely, my Lords, the agents who drew this charge, have not taken the least pains to examine the evidence which relates to it. You have upon your minutes, the strongest written complaints from various commanding officers, of the totally unserviceable state of the bullocks of the army; and you have full proof also, that the contractor dying in 1778, his executor was desirous of relinquishing so unprofitable a concern altogether—that General Stibbert, the provincial commander in chief, urged Mr. Hastings and his Council to accept the offer, and to form a new contract on very different terms.

The Managers begin their evidence by inserting the express order of the Directors, that the contract should be annual, and granted to the lowest bidder.

If to prove that Mr. Hastings disobeyed this express order, be sufficient for his conviction, the Managers have completely succeeded; for the next document they read, was the defence made by Mr. Hastings to this charge in the House of Commons, in which he very fully admits that he did disobey the order—that he has no idea of orders being issued at the distance of half the globe, of the propriety of which the government upon the spot must not be allowed to judge before they carry them into execution: he admits also, that by disobeying this order he incurred great responsibility; and was bound to prove, that he consulted their interests, when he disobeyed their commands.

My Lords, Mr. Hastings affirms, that the consequence which attended the disposal of the bullock contract annually to the lowest bidder, was such as you will believe was extremely natural: men offered to take it on terms so low, that, had the contract been really executed, they must have lost 50 per cent. by their agreement. Mr. Hastings appeals to the public records, for proofs of the complaints made by the commanding officers of the army on this important subject—to the revenue consultations, to shew the distress occasioned to the zemindars and farmers, as well as the diminution of the revenue, from the mischievous custom of pressing bullocks, as often as any division of the army was ordered to change its quarters. To remedy these mischiefs, and to provide effectually for that branch of the service, on the due performance of which the success of every operation of war in India depends, Mr. Hastings consulted with the principal officers of the army, and submitted to Sir Eyre Coote a plan for the future supply of bullocks for the service of the army, which that officer fully approved. The plan prescribed the size, age, and feed of the bullocks to be employed; the work they were to perform; the number, uniform, and pay of the drivers: the calculation was made so as to leave a fair mercantile profit to the contractor; and such checks were established for the due performance of this contract, that the due execution of it appeared to be fully insured; I am sure, my Lords, I know not how the public can be well or faithfully served upon any other principles than those laid down by Mr. Hastings in defence of this contract.

The next evidence adduced by the Manager is, that upon which they have entirely relied; I mean the dissent of Mr. Francis to the terms of this contract. It is a performance of very considerable

nable length, containing many ingenious calculations, which, in theory may do very well, but happen not to have stood the test of practice.

The opinions of Mr. Francis, as far as I know, are peculiar to himself: and though it be true that the Managers have mentioned them as conclusive against Mr. Hastings, there is not one person, who has had an opportunity of acquiring any knowledge upon this subject, that does not totally disagree with Mr. Francis. That gentleman is decidedly of opinion, that the Company's orders should be obeyed—that the bullock contract should be annual, and granted to the lowest bidder: he condemns the rates as extravagant, and the number of bullocks as unnecessary: he thinks that the quantity of drivers, so far from being useful, would be highly detrimental to the service: and he winds up the whole by this very singular declaration, “ In truth I may say (with the exception of a very moderate rate number) what occasion have we for an establishment of bullocks any where? when they are wanted, they may be hired, or pressed, as in fact they have been hitherto, notwithstanding the contracts.”

I speak in the presence, my Lords, of some noble persons, who know well what military service is; and to whose exertions their country has been much indebted upon former occasions: If one of those noble Lords were again to be placed at the head of an army, what would he think of a cabinet minister, who was to tell him, that horses for the service of his artillery, his ammunition waggons, and camp equipage, could not be kept but at a most enormous expence; that he must, therefore, retain none in the service, as he could hire or press them when they were wanted. What would the

noble Marquis have said to Mr. Cowper, Mr. Stuart, or Mr. Speke, if either of those gentlemen, his colleagues, had told him, when on the point of embarking on that service, which he so gloriously terminated, “ Do not, for God’s sake, my Lord, put the Company “ to a most enormous expence for bullocks and drivers ; you can “ hire and press them in Myfore ! ” The noble Marquis, I believe, would have expressed some surprise at the magnanimity of such sentiments ; yet Mr. Francis, *flagrante bello*, when the British army in Bengal occupied a country thirteen hundred miles in length, and five hundred in breadth, and having several detachments employed on foreign service, does not scruple to affirm, that it is unnecessary to keep up an establishment of bullocks, and that they can be hired, or pressed when wanted. My Lords, it did not require the strong evidence adduced by the defendant’s counsel to convince men of your Lordships’ understandings, that no army in India can be deemed fit for service unless an ample supply of bullocks is attached to it. The artillery and the ammunition waggons are dragged solely by bullocks. The musquet ammunition is also carried by bullocks, and the camp equipage in part, by bullocks also. The honourable Manager (Sir James Erskine St. Clair) who summed up this article, a man highly distinguished in arms, and possessing every qualification necessary to form a complete soldier, afforded your Lordships a proof, that without local experience, no man ought to venture to speak of the nature of military service in a distant quarter of the globe. Had that honourable Manager been as conversant in Indian, as I am sure he is in European service, he would not have told your Lordships (and probably on the strength of Mr. Francis’s assertion he did it) that if one driver was really entertained for two bullocks

bullocks, it was an arrangement worse than useless, it was detrimental to the army.

Your Lordships have the fullest evidence to prove that one driver to every pair of bullocks is indispensably necessary, and you are told by the noble Marquis, of the distress which he sustained for the want of a sufficient number of that very useful body of men during his campaigns in Mysore. Colonel Duff, an officer, who had the advantage of thirty years experience in India, who commanded the artillery under the Marquis Cornwallis in the campaigns against Tip-poo Sultaun, has decidedly told your Lordships, that the bullocks provided under the contract of Mr. Croftes, came under his particular inspection; that they were beyond all comparison the best that ever were in the service before, or since: that one driver to every pair of bullocks was absolutely necessary, and a head driver to every twelve men exceedingly useful: that the number of bullocks was by no means unnecessary; and that they cannot be fit for service until they have been regularly trained and harnessed. In truth, my Lords, the testimony of Colonel Duff, if unconfirmed by any farther evidence, would have fully convinced me, that Mr. Hastings acted wisely and properly in concluding a contract during war, which effectually provided for the strict performance of this most essential part of military service, though the expence had even exceeded fifty thousand pounds a year.

In the year 1779, prior to this contract, Colonel Camac was sent upon service towards the Mahratta frontier. He writes to the Board, and says, that his march was impeded by the badness of the bullocks furnished by the contractor; that he could only get seventy at Burdwan, and that all the good bullocks had been sent out of the way,

way, or hid. Here, my Lords, is a proof that Mr. Francis was mistaken, when he affirmed that bullocks could be pressed when wanted, even if the cruel distrefs which fuch a mode of provision muft create, with the confequent diminution of the public revenues, were to be no part of the confideration of government. Colonel Camac adds, that, from the want of bullocks, and the defection of the drivers, the ammunition was ftrewed in the roads, and could not have been faved, but by the great exertion of the artillery officer, to whom the Colonel was obliged to give fixty fepoys, to act as bullock-drivers.

Every inconveniency which the fervice had fufained for fo many years, this contract was intended to remedy, and it is in proof that the remedy was effectual. The Directors very much approved of all the regulations; but they thought that the contract fhould have been advertifed, though it is moft obvious to any man of common fenfe, that under a contract fo advertifed, no fuch reform could have been effected. It appears alfo in evidence, that during the war, the number contracted for never fufficed for the fervice, and that extra bullocks were always employed.

My Lords, the next allegation is, that though the Directors had condemned this contract in ftrong and pointed terms, and had ordered, that one year before its expiration, advertifements fhould be iffued for propofals for a new contract upon the loweft terms, Mr. Haftings neglected to give fuch notice, by which neglect the contractor had a right to hold his contract for fix years, and that the relinquifhment of this contract was purchafed upon terms almoft as extravagant as the contract itfelf; that he then turned the contract into an agency, though the Directors condemned agencies, as uncertain

certain and indefinite in their expences, and where influence was likely to prevail over public advantage.

The facts, as applied to this part of the charge, I believe, may be stated very shortly : by a neglect, which ought not to be attributed to Mr. Hastings alone, but to the whole Board, no notice was sent to the contractor, Mr. Ferguson, (to whom Mr. Croftes had very early assigned the contract) that the Board meant to close the concern at the end of the five years. This gentleman, therefore, in January, 1784, proposed to relinquish his contract on certain conditions, to which the Board agreed. In the course of the correspondence, Mr. Hastings observed what very erroneous opinions had been formed in England of the nature of this contract, and he laid before the Board a letter from Mr. Ferguson, in which he declares, that the advantages attending this contract have been most absurdly magnified in England. He offered to produce his books, which he says will prove, and his book-keeper attests the truth of the declaration, that his profits did not exceed 15 per cent. ; and he adds, that if the Mahrattas had entered Bengal, as was expected, he must have been ruined. No man will conceive that 15 per cent. in such a concern, and subject to such a risque, is in any respect an unreasonable profit. Mr. Ferguson, who was a merchant of high character in Calcutta, and who arrived in England, I understand, during this trial, died before the defence was entered upon, or he might have confirmed the truth of this letter, by his own testimony at your Lordships' bar.

The Managers have given in evidence, a letter written by Mr. Hastings to the Directors in August, 1785, from Cheltenham, in order, as they state, to prove his inconsistency ; because in that let-

ter he most strenuously recommends that bullocks shall in future be provided by agency ; all contracts, he says, are improvident, and that the contract concluded on the lowest terms, is always the most extravagant. My Lords, I can perceive nothing like inconsistency in this opinion. On the contrary, I observe, that Mr. Hastings at all times, and upon all occasions, preferred agencies to contracts.

In the business of the opium, it was recommended by Mr. Hastings that it should be procured by agency. The salt was made and sold under an agency, and by that means nearly a million was added by Mr. Hastings, to the annual revenues of Bengal. The marine of Bengal was conducted under an agency ; and I shall still have occasion to intrude upon your Lordships' indulgence, by stating the two agencies with which this charge concludes. There appear to me to be but two modes of providing for the success and the safety of an army in India, in war : the one by a contract, on such fair and liberal terms as were granted in the case of Mr. Croftes contract, or by an agency in the hands of men of character and honour. But Mr. Hastings, in the letter alluded to from Cheltenham, and which in all its parts is well worthy your Lordships' attention, was not intruding his sentiments upon the Court of Directors. The fact is, that Sir Archibald Campbell, appointed governor of Madras in 1785, was desired by the Directors, previous to his departure from England, to form military establishments for their several settlements in India. The Directors, when they were formed, thought proper to transmit them to Mr. Hastings, then an unimpeached man, and to desire his sentiments upon them ; which he gives at considerable length, and earnestly draws the attention of the Directors to a ma-

terial part of the military detail, which Sir Archibald Campbell had omitted to notice. He says, that Sir Eyre Coote was unable to prosecute his success in the late war, because, though he so often beat, he never was able to pursue, Hyder, or to capture his guns, which he often might have done, had he had good bullocks for his own artillery. He therefore strenuously recommends that there shall be no more contracts for bullocks, but that they shall be furnished by agency. My Lords, you will perceive that Mr. Hastings alludes to contracts formed on the principle so strenuously contended for by the Court of Directors, namely, annual contracts, granted by public advertisement, to the lowest bidder. For venturing to break through this favourite arrangement in the instance of Croftes's contract, which was, in truth, rather an agency than a contract, because Mr. Hastings himself and Sir Eyre Coote fixed the terms and the period, and selected the person who was to perform it, he has been impeached by the Commons. The experience of later times has fully justified Mr. Hastings. The noble Marquis, when in Myfore, was obliged to procure all the additional bullocks he could get together, and those he put under the charge of an agent of his own nomination, declaring to the Governor and Council of Madras that "he was sorry to say from experience, that the bullock contract " had been a delusion of a most dangerous nature to a Commander " in Chief of an army." The Governor and Council of Madras, copying the example of the noble Marquis, put all the additional bullocks that they could procure under a public agent. The government of Bengal gave their sentiments most decidedly to the Directors in the absence of Lord Cornwallis, in favour of agencies, though they said it was not their intention to contract with the enormous

evils liable to arise from an adherence to the contract system, the advantages derivable, under certain circumstances, from a well-regulated agency ; and the Directors themselves, convinced of the great impolicy of their former orders, very candidly admit, both in their letters to Bengal and Madras, that the reasons assigned for deviating from the contract system were very satisfactory. Such, my Lords, is the close of this business ; and if it shall appear to your Lordships as it does to me, that Mr. Hastings could not have obeyed the orders of the Directors *flagrante bello*, without ruin to the army, you will concur in negating the motion that I shall have the honour to propose upon this head of the charge.

The next subject is, the extra allowances granted to Sir Eyre Coote in 1779. Mr. Hastings is charged with adopting this measure with a view to increase his own influence ; that it was a disobedience of positive orders ; that allowances to the amount of eight thousand pounds a year had been granted to General Stibbert, provincial Commander in Chief before Sir Eyre Coote's arrival ; that there was no pretence to continue the allowances to General Stibbert after Sir Eyre Coote's arrival ; but that Mr. Hastings did continue them, and allowed Sir Eyre Coote eighteen thousand pounds a year.

That in direct violation of the treaty subsisting between the Company and the Nabob Vizier, he directed, that when Sir Eyre Coote was in Oude, these extra allowances should be carried to the debit of his account.

This, my Lords, is the first branch of the charge : the defendant has offered neither defence nor observation upon any part of it,

but has left it entirely to the judgment of your Lordships, on the case made by the Managers themselves.

In considering this charge, I confess there are some circumstances which strike me, as very singular. The Managers have proved that six thousand pounds a year was the salary fixed for the Commander in Chief of all the King's and Company's forces in India. When Sir Eyre Coote arrived in Bengal, he proposed that the allowances granted to General Stibbert as provincial Commander in Chief should devolve upon him; but on farther inquiry, it was found that they had been settled upon him, as the oldest Company's officer in Bengal, and that in fact, of the thirteen thousand pounds a year which General Stibbert received, nine thousand pounds a year were authorised by the Directors, and that their sentiments on the additional allowances granted to him, had not been received, but were daily expected, Sir Eyre Coote therefore proposed that a field establishment might be formed for him and his staff, adequate to his unavoidable additional expences, when absent from Calcutta, as he supposed the Directors, when they appointed him, did not conceive that he was to expend his private fortune in their service. It appeared perfectly clear from Sir Eyre Coote's minute, that General Clavering had represented to the Directors, how very inadequate his salary must be for defraying his extraordinary expences out of Calcutta. It is in my opinion beyond a doubt, that in some mode or other General Clavering must have drawn extra allowances, had he taken the field; but it so happened, that from October, 1774, when Sir John Clavering arrived in Calcutta, to August, 1777, when he died, Bengal enjoyed profound peace, and the general never was twenty miles out of Calcutta, and saw no part of the large army he commanded,

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except the corps quartered in or near the presidency. In the time of Sir Eyre Coote, the case was materially different. He arrived in April, 1779, during the war with France, and when a Mahratta war was hourly expected. He very wisely and properly determined, in the execution of his duty as Commander in Chief, to visit the several military stations; and it could hardly be expected, as Mr. Hastings very justly observed, that he was to perform this expensive service for six thousand pounds a year, when the directors themselves permitted General Stibbert to draw more than that sum a year for the expence of his table.

Mr. Hastings therefore proposed field allowances for Sir Eyre Coote and his staff, amounting to the sum mentioned in the charge; but they were only to be received in the field. When the general returned to Calcutta the allowances were to cease. Mr. Francis and Mr. Wheler opposed this arrangement, as contrary to the Directors' positive orders, which precluded them from exercising any discretion of their own. Mr. Hastings contended that it was absolutely impossible the orders could apply to the case before them; that it was a violation of every military principle to restrict the Commander in Chief to half the emoluments granted to the second in command; and the majority agreed to the allowance. The general left Calcutta to review the army in August, 1779, when the payment of these allowances commenced. After his departure Mr. Hastings proposed, that as long as the General should remain in Oude, these extra allowances should be paid by the Nabob Vizier. This arrangement Mr. Francis opposed, on the ground assumed since in the charge; that it was a breach of the treaty with the Nabob Vizier, who was only bound to pay, by the terms of the treaty,

two lacks and sixty thousand rupees a month for a brigade. To this remark Mr. Hastings very clearly replied, that, subsequent to that treaty, a considerable body of troops in addition to the brigade were stationed in Oude on the Nabob's application, the pay and contingencies of which the Nabob defrayed; and the presence of the Commander in Chief being absolutely necessary in Oude, the question was, whether it would be unreasonable to call upon the Nabob to defray the expence of the extra allowances. The majority concurred with Mr. Hastings, and the Nabob, with the utmost cheerfulness, consented to pay the allowances. He did not concur with the Managers in deeming that demand a flagrant breach of treaty.

I believe, my Lords, this is the whole evidence to the first branch of the charge. It is next alledged, that the Directors ordered these extra allowances to be struck off by a letter, dated the 18th of October, 1780; that they were struck off accordingly, but that Mr. Hastings of his own private authority continued to Sir Eyre Coote certain large allowances, amounting to twenty-one thousand six hundred pounds a year, which were paid by the Nabob Vizier.

My Lords, to the latter part of this charge the Managers have no sort of evidence except the admission of Mr. Hastings himself. It appears by that evidence, that as soon as the order from the Directors for striking off these extra allowances arrived in Bengal, Mr. Hastings and his Council ordered all farther payments to be discontinued. The situation of Sir Eyre Coote, when the Directors thought proper to shew so marked a disregard to his services, was critical indeed. Hyder Ally, with a conquering army, was in his front, and that circumstance alone prevented the general from immediately quitting India. The Directors were not pleased to take any notice
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of the extra allowances drawn under the appointment of the Board, by General Stibbert, the provisional Commander in Chief of Bengal; and Sir Eyre Coote, the Commander in Chief of all their forces, on whose zeal and attachment their very existence then depended, was ordered to keep the field upon less than one half of the pay and allowances granted to General Stibbert. After serving two successful campaigns upon the coast, Sir Eyre Coote took the opportunity of the rainy season to return for a few months to Bengal. He arrived in Calcutta in November, 1782, and again embarked for Madras in March, 1783, carrying with him a large supply of treasure, a reinforcement of troops, and wishing most anxiously to retain life long enough to take Mr. Buffy a second time. That distinguished officer was taken by Sir Eyre Coote at the battle of Vandewash in 1760, and in the year 1783 he commanded three thousand French troops, and a party of Tippoo's forces at Cuddalore. My Lords, this was a point of such infinite moment, that every lesser consideration naturally gave way before it. In this critical situation of public affairs, Mr. Croftes, who was the attorney of Sir Eyre Coote, wrote a letter to Mr. Bristow, of which the latter gentleman sent a copy to the Governor General and Council, after the departure of Mr. Hastings. In that letter Croftes tells Bristow that some field allowances are due to Sir Eyre Coote from the Nabob Vizier, since August, 1782; that the governor had requested Croftes to write to Bristow to receive and remit the arrear, and to receive the payment in future, month by month, as it became due.

To evidence so introduced before the House of Commons, Mr. Hastings, much to his honour, I think, made no objection. I
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will read to your Lordships his defence to this charge of the Commons:

“ By what authority Sir Eyre Coote continued to receive this allowance from the Nabob Vizier, I know not ; but I have a faint recollection of Mr. Croftes having mentioned the circumstance to me, in the month of January, 1783, and I have no doubt of his having received my authority to write to Mr. Bristow. Sir Eyre Coote was then on the point of returning to Madras, with a constitution worn out in the public service, by exertions almost beyond belief. His life was of the utmost importance: I had not a doubt of his success against Mr. Buffy, could he have arrived in tolerable health upon the coast. This was not a time for me to dispute any point that could add to his chagrin. His expences were considerable—He had three separate establishments—one at Calcutta; one at Madras; and a third in the field. The allowance, as I understood, was voluntarily paid by the Vizier. I could have had no private interest of my own to gratify at any period of our connection, more especially at a moment when the whole world knew that Sir Eyre Coote could not live six months, having, when he returned to Madras, as he truly said, one foot in the grave, and the other at the edge of it.”

Such, my Lords, is the account given by Mr. Hastings—the account which the Managers thought proper to read, and which they have not attempted to disprove in any one part of it. It is impossible, therefore, to impute Mr. Hastings's conduct to any other than public motives, and zeal for the welfare of his employers. Sir Eyre Coote, as your Lordships know, did not live to effect that important service which both himself and Mr. Hastings had so much

at

at heart. He embarked in one of the Company's armed ships, and was chased by three French frigates from Balafore roads to Fort St. George: the ship was preserved by the superior skill of the English captain. The anxiety of Sir Eyre Coote would not permit him to leave the deck, night or day, during the chase.—The struggle and agitation was too much for his weak and debilitated frame to survive. He preserved his recollection long enough after the ship came to anchor off Fort St. George, to express his warmest acknowledgments to the captain, and to confer upon him a token of his gratitude. He then sunk senseless on the deck, was carried on shore in that situation, and died on the next day. Neither the nation nor the East-India Company were insensible to his merits and services.—The two Houses of Parliament were unanimous in voting him their thanks for his exertions, and the Company have erected to his memory a monument in Westminster Abbey, and a statue at the India House. It rests with your Lordships to determine whether Mr. Hastings ought to be condemned for the share which he had in fixing an establishment for Sir Eyre Coote, barely adequate to his necessary expences in the field.

I shall now proceed to consider the evidence which has been given by the Managers and the defendant's counsel on the agency of Mr. Auriol. The Commons charge, that the defendant, in farther pursuance of the same prodigal and corrupt system of government, appointed James Peter Auriol, Esq. agent of supplies for the presidency of Madras in December, 1780, when there was a great scarcity of provisions at that settlement: that the defendant gave him fifteen per cent. commission, though Auriol had only required the usual commission, which was five per cent. as the defendant well knew:

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That he also appointed Auriol agent for the supply of the other presidencies: that he scandalously and illegally declared this agency to be a reward for his long and laborious services as secretary: that his gain at fifteen per cent. being exorbitant, Mr. Hastings, on the 25th of March, 1782, reduced it to five per cent. on all the expenses of freight, &c. and fifteen per cent. on the purchases: that the provisions supplied were often bad, not agreeable to musters, of short weight; and that Mr. Hastings discouraged all just inquiry into such complaints.

The evidence upon this agency is so exceedingly clear, and all that is important lies in so very narrow a compass, that I shall not take up much of your Lordships' time in referring to it.

It appears that a very early consequence of Hyder's invasion of the Carnatic was, an extreme scarcity of grain at Madras, and a strong apprehension of famine, unless relieved by the exertions of the Bengal government. Considerable supplies of provisions were sent from Bengal in the months of October and November, 1780.

Sir Eyre Coote, who arrived at Madras early in November, 1780, gave to Mr. Hastings a most gloomy picture of the state of the Carnatic, and frankly told him, that Madras must depend upon him for men, money, and provisions. The government of Fort St. George made similar representations, and they were farther enforced by the most pressing private letters from Mr. Smith, the Governor of Madras, to Mr. Hastings.

It was in this state of affairs, that Mr. Auriol the secretary proposed to contract for the supply of a very considerable quantity of grain and provisions, to be delivered on certain terms at Madras,

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or, as their wants were most urgent, to furnish every possible assistance, and to be indulged with the usual commission for his trouble; the latter proposal was accepted, and Mr. Auriol was appointed agent of supplies with a commission of fifteen per cent. Now, my Lords, the Managers assert that the usual commission of merchants was five per cent. and they have proved it to be so: but the defendant's counsel, on the other hand, have brought full proof, that where stores are furnished by individuals in the Company's service, the commission has been fifteen per cent.; so that there can be no doubt, but that when Mr. Auriol proposed to take the usual commission, he meant that commission which every person in the Company's service, when employed to purchase stores or provisions, did actually receive.

The supplies required at Fort St. George were so very considerable, that the commission of fifteen per cent. though fixed agreeably to established practice, was reduced to five per cent. on all charges. The Court of Directors, in July, 1782, expressed their disapprobation of this agency, and it was accordingly annulled. But, my Lords, it is absolutely impossible for any fair or candid man to read the evidence which has been given upon this charge, without concurring entirely in the justice of the expressions said to have been uttered in another place *—"That Mr. Hastings had the merit of having
 " saved a whole people from perishing by famine, and of doing it
 " in the most economical way possible."—It appears by the letters on your Lordships minutes, that Lord Macartney, after he had suc-

* By Mr. Pitt, when he opposed this charge in the late House of Commons, in April, 1787.

ceeded to the government of Fort St. George, expressed his sense of the exertions of the Bengal government in the strongest terms. He attributed the preservation of the Carnatic to the zealous and judicious efforts and exertions of the Governor General and Council.

On the 31st of October, 1781, Lord Macartney, in a letter to the Court of Directors, says, “ I am happy to do justice to the Governor General and Council of Bengal, for their great exertions in supplying us with money and provisions ; to those exertions I consider the preservation of this settlement to be in a great measure owing.”

Your Lordships will find, on a comparison between the expence of the rice furnished by contract, and of that which was supplied under the agency of Mr. Auriol, that the latter was a cheaper and by far a better mode of supply, and indeed it seems now to be the universal opinion of gentlemen in office in India, that it is infinitely more for the advantage of the public service, more especially in time of war, to confide in agents, who are men of honour, than in contractors.

The Commons alledge, that the provisions furnished by Mr. Auriol were of a bad quality ; but it is fully established by the evidence, that infinite pains were taken to procure provisions of the best quality, that those endeavours were attended with the completest success, except in the instance, where the applications from Madras were so exceedingly pressing, that the agents bought up rice wherever it could be procured, and a small part of it being exposed to the rain, became damaged ; and in another instance, a few bags of rice were stolen. These, I think, are the only instances of failure, both of which

which were owing to accident, in the execution of this agency ; and it appears to me, that Mr. Hastings could not have placed so important a trust in better hands.

The next, and the closing allegation in this article, is the agency of Mr. Belli. Mr. Hastings is charged with granting this agency on very extravagant terms to his private secretary. The evidence sets this transaction also in so very clear a point of view, that I imagine I need not detain your Lordships with many observations upon it. Of the propriety of keeping up a proper supply of provisions in Fort William, none of your Lordships will entertain a doubt. A reference was made by the Board to three merchants in Calcutta, in order to know what would be the rate of commission at which a certain quantity of provisions, of a perishable nature, could be kept in Fort William. The merchants reported that the service could not be done for less than twenty per cent. By examining the accounts of a store-keeper, it appeared, that on many of the articles furnished by him, there had been a loss of ninety per cent. and the Board ultimately fixed the allowance at thirty per cent. General Clavering strongly opposed the terms of this agency, and calculated that the profits would amount to thirty thousand pounds in three years. Mr. Hastings feeling the language in which the dissent was couched as in some degree personal, after controverting General Clavering's calculations, declared, that the accounts of the agents should be open to the inspection of the Company, and that if the Directors thought the profits too great, he would be responsible for Mr. Belli's paying the surplus into the public treasury. Mr. Hastings added, that the proper supply of Fort William with every requisite for a siege, was a concern for which, as governor of that garrison, he was especially responsible,

responsible, and that he had confided the charge to a man who he knew would discharge the duty with fidelity and honour.

The Directors, my Lords, thought proper to adopt all the calculations of General Clavering; that is, they supposed that the profits of this agency would amount to thirty thousand pounds in three years; they direct, therefore, that the agency be reduced to twenty per cent. and that Mr. Hastings should pay, or cause to be paid, ten thousand pounds into the treasury. Before this order reached Bengal, Mr. Belli, in the form of a contract, was bound to supply Fort William with provisions for five years, from September, 1779, on the terms of his agency: when the letter of the Directors was referred to Mr. Belli, he declared that it would be absolutely impossible for him to go on at twenty per cent. and he was convinced that the Directors would not desire him to pay ten thousand pounds, when they knew that his whole profits for three years, on a very troublesome and precarious agency, had not exceeded that sum: that the Directors, adopting General Clavering's calculations, concluded that he had made thirty thousand pounds in three years, of which they permitted him to retain twenty, and to pay the other ten into the public treasury; whereas, in truth, he had made but ten thousand pounds, only one half of the profit which the Company were willing to allow him.

My Lords, this representation was transmitted to the Directors, and I can only suppose they conceived it to be perfectly satisfactory, from the circumstance of their total silence on that subject, from the year 1780 to this day.

Part of the stores laid in by Mr. Belli were sold in December, 1784; the price charged to the Company for those stores was two thousand

thousand six hundred and ninety pounds—they sold for four thousand five hundred and twenty pounds. The circumstance was noticed to the Company, and in the answer of the Directors, dated in March, 1787, they speak in very high terms of the assiduity and fidelity of Mr. Belli. My Lords, this gentleman came to England in 1785, and continued some years, to be examined as a witness; but the Managers not chusing to call him, and Mr. Hastings unwilling to detain him longer at a manifest inconveniency, he returned in the year 1793 to Bengal; he had remained beyond the period prescribed by law, and it was necessary that he should be re-appointed to the service, by a vote of three fourths of the Directors, and three fourths of the Proprietors: he had the pleasure and satisfaction, however, of having been unanimously re-appointed by both those respectable bodies; and it certainly appears, both in the instance of this gentleman and Mr. Auriol, that Mr. Hastings fixed upon men of fair and honourable characters to execute two very important agencies.

I have now, my Lords, gone through the whole of the fourth article. It was preferred by the Commons on two grounds.—The first, as the Managers stated, in order to repel a defence which they supposed Mr. Hastings might set up, against the articles called Benares, and the Princesses of Oude. It was presumed, that he would defend himself from those charges, on the plea of state necessity; and the Managers attempted to prove to your Lordships, that all the money obtained from Benares and Oude, was expended in these improvident contracts and agencies. Your Lordships, who have heard the defence of Mr. Hastings, well know, that though he has fully proved the necessity under which he laboured, and that

India

India was, in fact, saved by the measures he adopted while at Benares, he did not in any degree rest his defence upon that ground, but relied upon the justice of the acts themselves for his exculpation.

The second charge in this article is, that he gave these contracts and agencies, in order to acquire for his dependants exorbitant wealth, and to secure himself from punishment for the many unjustifiable acts by him done and committed, from the undue influence which he should acquire by this mode of dispensing favours.

Mr. Croftes, to whom the bullock contract was given, had certainly none of those political connections which are alluded to in the charges; and that gentleman, as I am informed, died insolvent, after Mr. Hastings had quitted India.

Mr. Sullivan, who had the opium contract, though he was the son of a gentleman who had been often the chairman of the East-India Company, had the opium contract for the same period, and on the same terms with Mr. Mackenzie, and to the latter gentleman it was given unanimously in 1777, and renewed to him by an unanimous vote of the Council in 1780.

Mr. Auriol, who had the agency for provisions, was the public secretary of the government of Bengal—a gentleman of very fair character, whose honourable discharge of so important a trust evinced the propriety of Mr. Hastings's selection.

Mr. Belli, who supplied the garrison of Fort William with provisions, was the private secretary of Mr. Hastings—a man, whose probity was fully acknowledged by the Court of Directors and the Board of Control, and so circumscribed in his fortune, that he was under the necessity of returning again to India two years ago, in the Company's service.

Sir Eyre Coote was known to be at the point of death when the letter was written, which laid the foundation of this part of the charge, and it does not appear, upon any fair reasoning, that Mr. Hastings, in any of these transactions, had an idea of establishing a political interest in this country, which might screen himself from punishment, or even from inquiry. I will not detain your Lordships any longer, and beg leave to move, “ That the
 “ Commons have made good the charges alledged against Warren
 “ Hastings, Esq. contained in the fourth article, respecting the
 “ opium contract, the smuggling the opium to China, the allow-
 “ ances to Sir Eyre Coote, the bullock contract, the agencies of
 “ Mr. Auriol, and Mr. Belli.

The Bishop of ROCHESTER said, he would trouble their Lordships with a few words upon the only one of the five allegations in this article, on which the smallest degree of doubt existed in his mind ; he meant the opium contract granted to Mr. Sullivan in 1781. The opium contract had, he observed, been much relied on by the Managers, and certainly had been attended with circumstances of a questionable nature. In order to shew in what light he understood this part of the fourth article, his Lordship referred to the material parts of the evidence, beginning with taking notice of the letter of the Directors to the Council, March 29, 1774, directing that all contracts should be publicly advertised, sealed proposals received, and the preference given to the lowest bidder, sufficient security for his faithful discharge of the conditions of his contract being at the same time taken. He next traced all the transactions in evidence, from the granting it to Mr. Mackenzie in 1777, on a contract for three years, to the sale of it by Mr. Benn

to Mr. Young in April, 1781, including the censure conveyed by the Directors in their letter of December 23, 1778, on the Council, for having omitted to advertise for propofals, previous to their contracting with Mr. Mackenzie for three years. The learned Prelate fully concurred with Lord Thurlow, in thinking it very extraordinary that the charge omitted to notice the contract received to Mr. Mackenzie in 1780: he referred to the minute of the Board, in which Mr. Hastings recommended to the Council, that the opium contract be granted to Mr. Stephen Sullivan for four years, the resolution of the Council fo to grant it, the reduction of the penalty on the opium contract, the abolition of the inspectors, and the sale of the contract by Sullivan to Mr. Benn for 350,000 sicca rupees, before the execution of any part of the contract. His Lordship dilated upon the evidence of Mr. Benn and Mr. Young, and made a variety of observations upon each fact stated by them, as he came to the mention of it, shewing what grounds of a justificatory nature had been established by the testimony of the witnesses to qualify those facts, and prove that they had neither originated from a corrupt motive nor a criminal intention on the part of Mr. Hastings.

The learned Prelate said, there was certainly no proof that Mr. Hastings knew any thing of the transactions between Sullivan, Benn, and Young; at the same time, if the contract had been publicly advertised, and there had been others to bid low, Young would have taken it from the Company at the price which he gave Benn for it, and in that event the Company would have gained the fourteen thousand nine hundred pounds a year, for five years, which was divided between Benn and Sullivan: but his Lordship said, he was

at a loss how to treat the ignorance of the whole Board on this subject of opium, after they had taken every pains to get information, ~~as~~ a crime exclusively in Mr. Hastings, and as a crime meriting impeachment. It might be the ground of a civil action from the Company, if they had thought proper totally to forget the many important services of Mr. Hastings, and to forget also, that they were indebted to him alone for this valuable branch of revenue. He did not believe that any member of the Board conceived that the Directors' orders relative to contracts, applied to this branch of the public revenue. The Company, however, entertained very different and more grateful sentiments towards Mr. Hastings; the proprietors had repeatedly returned him their thanks, and on his final resignation of the service, and after his arrival in England, the Court of Directors unanimously returned him their thanks, for his long, faithful, and important services—your Lordships will find them in evidence. The learned Prelate therefore contended, that until he was better informed, he should continue to believe that there was really no crime charged that could be properly cognizable by impeachment, and that it was a matter between Mr. Hastings and the East-India Company.

The Earl of CAERNARVON said, he was induced, by what had fallen from the learned Prelate, to detain them for a single minute, and it should be but for a minute: he said, that by the act of the 13th of the present King, the Governor General and Council were to obey all orders issued by the Directors; that, therefore, the not advertising and putting a contract to public auction was a breach of their standing orders. His Lordship added, that it was highly necessary to reprobate every improper expenditure of the pub-

lic money : and the noble Earl then read an extract from a letter written by Mr. Hastings to the Directors, in which he tells them, that the service is loaded with gentlemen of high connections in England, who expect to acquire rapid fortunes, and are sent out to India with that view solely.

After several strong animadversions on the granting the opium contract for four years to Mr. Sullivan, who neither possessed, nor pretended to possess, any knowledge respecting the subject of his contract, nor any skill in the business, and who immediately sold it at a considerable profit to Mr. Benn ; his Lordship proceeded to notice the next part of the charge respecting opium, namely, the Governor General's having dishonoured the British government in India, and disgraced its credit, by lending his countenance to the smuggling trade which he suffered to be carried on in the article of opium to China—when he, at the same time, well knew that the importation of opium was forbidden, under severe penalties, by the Chinese government ; that article itself is liable to be burnt, if seized, and the vessel that imports it to be confiscated, and the Chinese, in whose custody it may be found for sale, to be punished with death. The Earl made some pointed remarks on the scandalous nature of the whole of the Governor General's conduct in this particular, and reprobated it severely. In order to illustrate and support his argument respecting it, he read a letter from the supra-cargoes at China and Canton, in which they say, that if the Captain had obeyed his orders, the opium might have been sold to great advantage ; but they were afraid that public interests had been sacrificed to private advantages.

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The Bishop of ROCHESTER rose again, and said, that he did not really expect the noble Earl would have drawn an argument from the letter of the supra-cargoes at Canton, to criminate Mr. Hastings for giving the opium contract to Mr. Sullivan: it surely was *ex parte* evidence. The supra-cargoes censured the Captain of the ship freighted with opium to China, and attributed it to him, or to others, that it did not turn out a much more beneficial adventure; the captain as loudly censured the supra-cargoes, and Colonel Watson has proved, that though the business was new and very much mismanaged, it still was a very profitable concern for the Company.

The Earl of MANSFIELD said, that he had been lately too much employed to look minutely into the evidence on the different contracts, and, therefore, he should forbear to deliver his sentiments at the present moment; but he desired to be understood rather as having suspended his opinion, than as not having formed one upon the subject. There was one point, however, on which he could not conscientiously withhold them—a point on which his opinion had never varied, from the first moment that it was mentioned—he meant the extra allowances granted to Sir Eyre Coote; and he was desirous and anxious to communicate his sentiments upon that charge to their Lordships. The Earl declared, that in granting those allowances, he not only conceived the conduct of Mr. Hastings to be highly justifiable, but strictly meritorious.

The LORD CHANCELLOR said, that he would not detain their Lordships a moment. He wished only to observe, that in every instance but the bullock contract—and there he thought the terms too high—the evidence clearly proved, that the defendant
had

had acted profusely and improvidently, as well as contrary to the express orders of the Directors; and therefore he was of opinion that the Commons had made good the charge.

The motions were then severally put, and the *Non-contents* had it.

It was next moved, that the Commons had made good the remainder of the impeachment against Warren Hastings, Esq. which also was negatived; and the resolutions, having been read over *pro forma*, were ordered to be reported to the House on the following day.

WEDNESDAY, *April 1.*

Lord WALSINGHAM, as chairman of the Committee of the whole House, on the charges of the impeachment against Warren Hastings, Esq. brought up the report of the Committee, when the resolutions were read over by the reading clerk.

Lord THURLOW then moved, that the said report be taken into consideration next Monday se'nnight.—Ordered.

MONDAY, *April 13.*

Lord WALSINGHAM (as chairman of the Committee to whom the consideration of the evidence adduced on the part of the prosecution, and in defence of the defendant Warren Hastings, Esq. had

had been referred) presented the report, containing twenty-four resolutions ; when the same was read a first time.

Lord Walsingham said, that not having had an opportunity, from the situation in which he had the honour to be placed, as chairman of the Committee, of delivering his opinion upon the subject of the resolutions then before the House ; and as he had no wish to conceal from the House what that opinion was, he would take the liberty of stating it to the House, as shortly as he could, and without arguing it at large. He said, the principle upon which he meant to act was this ; to acquit Mr. Hastings whenever he appeared to have acted clearly for the public service, or wherever any doubt arose so far in point of law, as that the most learned authorities in the House differed in their construction of the law upon the subject.

Upon this principle he was bound to acquit Mr. Hastings on the Benares and Begum charges, because his only object was the Company's advantage, without any view of self-interest in the case ; therefore thinking as Mr. Hastings did, though Lord Walsingham might have acted differently, yet Mr. Hastings acted right in his own opinion ; and his Lordship said it could be proved from the written, and still more from the parole testimony of almost every witness, that they were all convinced at the time, and even now continued in the belief, that the conduct of the Begums was disaffected towards the East-India Company during the rebellion of Chyrt Sing. In fact, Mr. Hastings risked himself and his own reputation for the good of the service alone ; had he remained quietly at Calcutta, he might have saved himself from the possibility of blame, but the Vizier would have had no claim to any of those
benefits

benefits to which he was entitled by the treaty of Chunar, nor would the Company ever have recovered that debt from the Vizier which it was so material for them to receive at that time.

Upon the same principle he was bound to acquit him upon the present given through Sadanund, because he took it with a view to forward an expedition which he thought essential, and which the Council objected to, because of the expence.

As to the present to the Rajah of Berar, he thought it impossible to pronounce him guilty of that charge, because the Commons had (probably from mistake) charged him to have given it in the autumn of the year 1780, whereas the money that he gave for that purpose, and at that time, was the Dinagepore money, which was not in charge at all; and the Patna money, which was in charge, was not given till March, 1781; and therefore the charge was certainly, literally speaking, not made out—but even if it had been proved as the Commons intended, it would certainly have fallen, as would that from Sadanund, within the act of 1773, having been carried to the Company's account.

He said, the present from Nundoolol was not made out, in point of evidence, so as to warrant him to pronounce it to be an high crime and misdemeanor.

The present from the Vizier, and that from Nobkissen, stood indeed in a very different light; and although they were not illegally taken, yet he should have thought them improperly taken, even if they had been taken for the sole use of the Company—but still more so, if they were taken (as in fact they appeared to be) with a remote view to Mr. Hastings's own benefit. That which was taken from Nobkissen, was not to be justified with respect to Nob-

kiffen ; but that was not in charge. The present from the Vizier was not to be justified, because he was at that time in so much distress, that his own troops were upon the point of mutinying for want of pay, and he had not credit enough to borrow one hundred thousand pounds, which he wanted six weeks afterwards, for the purpose of paying off certain establishments which were to be abolished by the treaty of Chunar, without making use of Middleton's assistance to enable him to complete the loan : at the same time his whole revenue, which, by Middleton's account, was not fifteen hundred thousand pounds a year nett money, was made over in assignment to the Company for the debt which the Nabob owed them, amounting to about five hundred thousand pounds, and for the current claims which the Company had upon him for the year 1781, which amounted to above seven hundred thousand pounds more, exclusive of all the Nabob's arrears to his own civil and military establishments. And therefore, as a part of Mr. Hastings's professed object in his delegation to Oude was to relieve the distresses of the Vizier, his Lordship would certainly have pronounced him guilty of a high crime and misdemeanor in thus having added to them, if it had not been for the arguments of a noble and learned Lord.

He then went into a discussion of those arguments : he said, if he understood them rightly, Mr. Hastings could neither be voted guilty by the common, nor by the statute law, for having received them. As to the statute law, the act of 1773 was complied with, by his having carried the one, and offered the other, to the use of the Company : if the Company had sent him no answer for above ten years, and had neither accepted it themselves, nor ordered him

to restore it, it was the Company's fault ; nor could the act of 1784 attach upon a crime committed previous to the passing of that act.

It was said, he could not be convicted by the common law, because the charge must state that the present was illegally and corruptly taken ; which, in the case of the Vizier, was not so stated. It was said, it must also state the reward, or brokage, or consideration for which it was taken ; which was not so stated, either in the case of the Vizier, or of Nobkissen ; nor did the charge mention any thing of its being a crime either of extortion or oppression.

At the same time, said his Lordship, he was free to confess that the arguments of the noble and learned Lord upon the woolfack made a very considerable impression upon his mind ; but where two such learned authorities differed, the safest way for a judge was to take the mildest side, and to lean in favour of the defendant, who from his character and situation was certainly entitled to all the favour that the House could shew him, wherever that favour could be shewn with justice.

As to the contracts, he sincerely wished he could acquit him upon all of them ; but it appeared to him, that with respect to the opium contract he broke the orders of the Company, for the purpose only of benefiting Mr. Sullivan, whom he must have known he was about to benefit at the Company's expence.

Mr. Sullivan was at that time a young man, was just come out to India, and was already appointed Judge Advocate, and had also a situation in Mr. Hastings's family ; so that he could understand very little of the culture of opium, nor could he reside upon the spot, which, it appears by the evidence, the contractors should do,
for

for the benefit and security of the riots. He was the son of Mr. Sullivan, who was at that time chairman of the India House, and was Mr. Hastings's friend and protector, when he stood in need of all the protection he could obtain, from the numerous enemies with which he was surrounded; but that will not justify Mr. Hastings for sacrificing the interest of his employers in a moment of so much distress, to make the fortune of Mr. Sullivan.

At the same time let it be stated, and he sincerely hoped it might make a favourable impression upon the mind of their Lordships, that all the revenue which the Company have at any time derived, and are now deriving, from the article of opium, is entirely owing to Mr. Hastings, who rescued it from the hands of the Patna Council, to whom it was a perquisite; and that revenue from the year 1772, when it was transferred to the Company, cannot have amounted to less than two millions sterling up to this time.

But if the contract had been advertised as the Directors had ordered, it would have produced to the Company at least ten thousand a year more than it did produce during the four years for which Sullivan held it: it did produce a great deal more during the subsequent four years for which Sir John Macpherson advertised it; it produced more still, during the next four years for which Lord Cornwallis advertised it; and yet in those contracts a clause was inserted, giving to the Company the power to revoke the contract if they thought fit, which clause did not intimidate the contractors from bidding, as it was supposed it might, and ought to have been inserted in Sullivan's contract. It was, however, but justice to Mr. Hastings to remark, that the preceding observations applied equally to the contract granted unanimously to Mackenzie, which the Commons had

not charged to be criminal; and it was certainly true, as a noble and learned Lord had observed, that Mackenzie held the contracts precisely for the same period, and upon the same terms, that Mr. Sullivan had held it. But as it was granted to Mr. Mackenzie a second time, so soon after the Directors' disapprobation of his first contract, his Lordship was inclined to believe that the whole Board conceived the opium contract not to come within the rules prescribed for granting contracts in general.

Upon Auriol's agency for rice, he owned he had for a long time had great doubts why fifteen per cent. was given, when Mr. Brodie proved that five per cent. was the usual commission to merchants, and when Auriol was very glad to take it when offered to be reduced to five per cent.; but in answer to this, Barwell proves that fifteen per cent. was the constant commission given for every article of supply by the government. This assertion, though not applied to this particular case, is yet proved by various points of evidence which directly support it; and above all, it is proved that Ferguson, in August, 1780, took the contract at six rupees and eight annas the maund; Auriol, in December, 1780, offered to take it at the same price, when Mr. Hastings proposed to him to take it upon a commission of fifteen per cent. And he called upon the House to observe, that Brodie wrote word in September, 1781, that all the rice which was so sent, was not only in general of a better quality, but cost above twenty per cent. less than that which was supplied by contract. If it is said, that this only proved that the contract with Ferguson was too high; it is to be observed, when the same article was advertised in 1783, the lowest terms offered were within four annas of what Ferguson had received.

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As to influence, he did not see with what view of influence this agency could be given: the charge indeed stated, that it was given to Mr. Auriol by way of reward for his services; but the moment the terms were agreed upon, Auriol left Calcutta for the benefit of his health, and the commission was not executed by his brother till the month of September following.

As to Sir Eyre Coote's allowances, he agreed entirely with the noble Earl, (Lord Mansfield,) that Mr. Hastings did perfectly right not to take them off, under the peculiar circumstances of this case; for it should be remembered, that Mr. Croftes's letter to Mr. Bristow to pay them, was written at a time when Sir Eyre Coote's very name was a victory, and when it was of the utmost consequence to the Company's affairs that Sir Eyre should re-assume the command of the army in the Carnatic, which in point of justice to his family he possibly might have refused to do, in the dangerous state of health in which he then was, as the expence which that command would require is known to be considerable.

His Lordship therefore said, if he had been in Mr. Hastings's situation he would have done exactly the same thing.

So he would with respect to the bullock contract, which was proposed by Sir Eyre Coote, who complained, as did the provincial Commander in Chief, General Stibbert, that the former contract was made upon such low terms, that the army suffered essentially by it; and it would have been a very invidious task, and Mr. Hastings would have had much to answer for, had he taken upon himself to reject a motion so made by the Commander in Chief, in whose department it immediately was, and who was himself to see to the execution of it in time of actual service: nor were the profits enor-

mous, as the charge stated ; for Ferguson's letter, supported by the declaration of his book-keeper Farlie, proved that his profits were not fifteen per cent. subject to bad debts to the amount of a lack of rupees, which is no very enormous compensation when it is considered how great the responsibility is of such an undertaking, upon which the very existence of the army must depend, and also how great the risk is ; for, if the Mahrattas had entered the provinces, as was expected, Ferguson must have been utterly ruined.

Nor did he see any thing to object to in the contract with Belli ; the supply of the garrison with provisions, &c. was held to be material when it was proposed in 1778, in which opinion even Mr. Francis himself concurred ; that it was well executed, appears by the provisions having sold for above thirty per cent. more than they cost government ; that the merchants were wrong in supposing twenty per cent. would be a sufficient agency, is proved by Johnson's account of the actual profit and loss ; which upon some articles was ninety per cent.

His profits, he declares upon his honour, were but ten per cent. which did not amount, upon the average, to three thousand a year. Though the Directors intended to reduce his contract to twenty per cent. that is, as much again as he actually received—his character is spoken to in the highest terms by Sir Eyre Coote ; and afterwards by Sir John Macpherson, and by Mr. Stables, when Mr. Belli left India.

Having thus touched upon the principal points of the resolutions of the Committee, his Lordship said, he felt the good sense of an observation that had been made by a learned Lord, (Lord Loughbo-

rough) that the House was trying the case, and not the man, and therefore he would forbear to travel at large into the wide field which presented itself before them, of Mr. Hastings's general merit and services ; but so far he thought he might be at liberty to say, that in a situation the most important, and under circumstances the most trying and the most mortifying in which any public man ever stood, he had, by his exertions, and by the strength and vigour of his mind, preserved an empire to the nation, which, without those exertions, might have been lost to it for ever.

LORD THURLOW moved, that the resolutions contained in the report be read one by one, and a question put upon each.

The first resolution was read accordingly ; and then the LORD CHANCELLOR left the woolpack, and said it appeared to him, that the only question that could be put in that stage of the business was, “ That the report do lie on the table.” His Lordship observed, that the report could not possibly be made the ground of any essential future proceeding ; if, however, any noble Lord had it in his contemplation to follow it up with any future proceeding, it ought to be stated to the House what was to be the object of that proposed future proceeding, that their Lordships might see their way, and know to what measures they were to be induced. For his own part, he saw no possible use that could be drawn from putting a vote upon each resolution contained in the report. If, by a resolution of the House, the report was agreed to *in toto*, no practical end would be answered. A resolution of the Committee would not conclude any noble Lord as to his ulterior vote in Westminster Hall, nor indeed would a resolution of the House so conclude him. Not having changed his own opinion since he had been in the Committee, he
should

should certainly be inclined to find the defendant guilty on most of the charges ; and no proceeding that their Lordships could institute, would, he believed, persuade him to depart from the line of conduct which he had laid down for himself as to his ulterior vote on each charge in Westminster Hall. If the coming to a resolution upon the report would at all tend to accelerate the progress of the cause, or aid the due administration of justice, he should have no objection ; but considering that no farther proceeding had been intimated, or, as far as the House was apprised, was likely to be grounded on agreeing to it, he really was at a loss to imagine what other question could be put than, “ that the report do lie on the table.” He hoped therefore that the noble and learned Lord would forego his motion, and consent that the report be laid on the table.

Lord THURLOW declared himself to be somewhat astonished at the sort of objection that had been raised by the noble and learned Lord to a question, which might almost be stated to be a question of form. He feared, however, if the noble and learned Lord’s reasoning had been right in every part of it, their Lordships had gone somewhat too far, to fall in with it, without a violation of order, and something like a gross irregularity in the nature of their proceedings. The resolutions contained in the report had been read once, and the first of them had been distinctly read a second time, which amounted to the same thing as if the question had been put upon it. The form of proceeding which he had moved, and in which the House had already engaged, viz. reading the resolutions one by one, and by putting a question upon each, was neither more nor less than the ordinary course of proceeding in all similar cases. When a report was brought from a Committee, either on a bill,
a petition,

a petition, or any other matter submitted to the investigation of a Committee, and upon which matter of reference they came to more than one resolution, it was the uniform practice of either House of Parliament to dispose of the report in some mode or other, either to re-commit it, to negative some of the resolutions, and to agree with others, or to resolve their concurrence with the whole of the report. Undoubtedly, if the resolutions were all agreed to, it would not, as the noble and learned Lord had observed, conclude any individual Peer, as to his ulterior vote in Westminster Hall. He was perfectly aware that it did not, any more than agreeing to the report of a Committee to whom a petition had been referred, on which the Chairman of that Committee was directed to ask leave to bring in a bill on the subject matter of that petition, conclude any one member as to his giving his free opinion and vote in the discussion of the principle and clauses of such a bill, when it should come before either House of Parliament. Every member well knew that each stage of the bill was open to debate and opposition, and that their opinions, and the mode of stating them, were not in the smallest degree fettered or embarrassed by their having agreed to the report, which went no farther than to indicate the sort of bill to be brought in. They were, nevertheless, free to object to the principle, to any of the clauses, and, in short, to every part of the bill that they chose to resist. The noble and learned Lord's motion did what, perhaps, he was not himself aware of—it went to counteract the original purpose for which their Lordships had gone into a Committee. He thought it had then been understood, that it would be more convenient for deliberation to discuss the evidence adduced on the part of the prosecution and defence in the form of a

Committee than in a House, and, consequently, he had no idea that any noble Lord would object to disposing of the report in the usual manner that all reports from Committees were disposed of; and in the present instance it was more especially proper, as the fullest discussion of every part of the impeachment was desirable, and no mode of proceeding could admit of more opportunity of free discussion, than the mode of reading the resolutions one by one, and putting a distinct question upon each.

The Earl of CAERNARVON could not agree with the noble and learned Lord, but thought directly the contrary. He spoke from the noble and learned Lord's own words, if he understood them rightly, that the form of going into a Committee was adopted for the sake of more free and ample discussion of the evidence. Why then should the noble and learned Lord wish to commit the House, by calling upon them to agree to the resolutions come to by the Committee, and thus embarrass their ultimate vote in Westminster Hall? What end would it answer, or what service would it do to the cause? It would merely secure the entry of their Lordships concurrence, if they should concur with the resolutions of the Committee, upon their Journals, which would necessarily throw a difficulty in the way of their ulterior decision; and embarrass all their future proceedings. Possibly some noble Lords might think it necessary to call for the opinion of the judges on particular points of evidence, that appeared to be matters of law, and, perhaps, he might himself wish to have their opinion on one or two points. The House, pending the trial in Westminster Hall, had frequently thought it necessary to consult the judges upon parts of the proceeding, that depended on legal construction, but they had never once been called upon or consulted by
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the Committee, where their advice seemed to be the more necessary, as the case was reduced within a narrower compass than before, and the whole ground of discussion was confined to the evidence. His Lordship farther said, that the judgment to be delivered in Westminster Hall was a matter of conscientious opinion, and therefore he conceived that no other question than that stated by the noble and learned Lord on the woolsack, viz. that the report do lie upon the table, could or ought to be put.

Lord THURLOW rose again, and said, the question suggested by the noble and learned Lord on the woolsack was directly in the teeth of parliamentary usage and precedent; whereas the mode of proceeding that he had proposed, and which the House had in fact adopted, was consonant to the uniform practice of Parliament. Whichever of the two modes was adopted, was, his Lordship observed, a matter of perfect indifference in itself; but it would be fatal, were their Lordships rashly to form a precedent altogether new, and directly in defiance of the wisdom and experience of their ancestors, who had settled a mode of proceeding so immediately the reverse of that contended for. The proceeding in Sacheverell's case was stated in the report of the Committee appointed by their Lordships to search for precedents, and there their Lordships would see, that although there were differences of opinion respecting parts of the impeachment, the House came to a vote upon each article before they delivered their verdict in Westminster Hall: he, therefore, saw no reason why they should not in this instance do the same, the more especially as it really concluded nothing that could affect the judgment that each individual Peer should think it his conscientious duty to pronounce in Westminster Hall.

The Earl of LAUDERDALE said, he had not attended the Committee, neither did he mean to take any part in the progress of the cause, for obvious reasons ; but the present subject of debate he considered entirely to be a question of form, respecting which he was at liberty to deliver his opinion, without in the smallest degree interfering with the impeachment or the trial. He could not help thinking that the mode of proceeding contended for by the noble and learned Lord (Thurlow,) viz. to read the resolutions one by one, and come to a distinct vote upon each, would be, to be guilty of the height of ridicule and absurdity. It involved this strange dilemma, and possible injustice to the defendant ; their Lordships might acquit him of all the charges in their Chamber of Parliament, and find him guilty as a Court of Justice in Westminster Hall. Whatever vote they came to respecting the trial in the House, would of course be entered on their Journals ; and if a verdict of a different sort should be pronounced by their Lordships judicially, the defendant would have just cause to complain of the contradiction and inconsistency of their proceedings. On the other hand, how much more unjust would it be if the House should dissent from the resolutions contained in the report of the Committee, and noble Lords should nevertheless individually acquit Mr. Hastings in Westminster Hall ? He would, in that case, have cause to complain of being sent down to judgment under prejudice, and of standing criminated on their Lordship's Journals, although he had been acquitted and pronounced innocent by the highest court in the kingdom, and the only court competent to decide upon his guilt or innocence in respect to the various matters charged against him. In fact, the Earl said, the sole aim seemed to be to obtain the vote of the House in concurrence with the

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the report, for the sake of entering it on the Journals, and he saw not what useful purpose that was to answer. With regard to what the noble and learned Lord had said of the usual course of proceeding with the reports of Committees on petitions or bills, the present case was not to be compared with the report of a Committee on a bill, or the appeal of an individual even in an ordinary judicial cause. It was perfectly new in itself, altogether unprecedented, and of the highest importance, as it involved the national character on points the most tender, delicate, and sacred. He had as much reverence, the Earl said, for precedents established by the wisdom of their ancestors, and founded in good sense, as any noble Lord could entertain; but he was neither ashamed nor afraid to say, that where a precedent, of however long standing, was pregnant with the utmost ridicule and absurdity, he thought it high time to make a new case, and form a precedent established on less questionable grounds, and on grounds more reconcileable to common sense.—The noble and learned Lord had cited the proceedings of the House in the case of Dr. Sacheverell, but he saw no reason for implicitly adopting the same line of conduct; it might be proper in that case, and altogether improper in the present. His Lordship added a few more observations, and declared he should give his vote for the question which the noble and learned Lord on the woolsack had suggested.

Lord THURLOW said, he wished that those noble Lords who were such eager advocates for reform on all occasions, when they stated their sentiments in application to matters of judicial proceeding, would not direct their ideas to burying in their own ruins all the ancient establishments, and approved forms and principles of administering

administering justice, without at the same time taking care to be ready to suggest and build up something better, more conducive to the ends of justice, and more likely to promote the grand object in all matters of judicial proceeding. The mode that he had moved, and which in fact the House had adopted, of reading the resolutions contained in a report a second time one by one, was the mode most consonant to the invariable practice of Parliament for centuries, and it best admitted of full and free discussion in the House of each charge to which the resolutions of the Committee respectively referred. With regard to its having any tendency to commit their Lordships in any subsequent stage of the business, it certainly had not the smallest effect of that kind, and he begged their Lordships to recollect, that they had already gone too far to allow them to adopt the motion of the noble and learned Lord on the woolsack.

The Earl of LAUDERDALE said, in reply, that he looked with as much reverence to the precedents established by their ancestors as any man, when he was satisfied they were founded in wisdom and good sense; but he was not complaisant enough to adopt their absurdities, and support such as were open to ridicule. It had served the noble and learned Lord's purpose better to dwell upon that part of his speech, that implies a wish to introduce a new practice, and might admit of the use of the word "reform," than to answer the arguments which he had urged. In order, therefore, that what he had stated might not be lost sight of, he would remind their Lordships of the injustice the defendant might possibly have to complain of, by unnecessarily entering upon their Journals what the result of their opinions upon the report of their Committee was,

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which might eventually be contradicted by the verdict given in Westminster Hall.

The Earl of CAERNARVON said, that the precedents on ordinary proceedings on reports of Committees to the House, could have no analogy with the present case. We have hitherto adopted a mode of proceeding liable to great objection, and the absurdity increases every step: the House has referred to the Committee the discussion of a subject in which the consciences of the Committee alone are concerned, and they are now inclined to treat the case as one where they had referred to the Committee a subject for their examination and investigation, in order to collect matter to enable the House to act upon. In ordinary cases, the Committee take the labour of inquiry; they have power to arrange, digest, and report materials; but they have no power nor authority to act; their proceedings are ineffectual, without the sanction or authority of the House: in the present case, the House has no authority; its approbation and concurrence can have no more effect than its disapprobation and disagreement on the opinion of the Committee. The Lords who attended Westminster Hall as judges of Mr. Hastings, have discussed the subject in a Committee in obedience to the orders of the House; they have reported their proceedings and opinion; if the House should disagree with them in opinion (and a question put to concur with the Committee implies the possibility of disagreeing) the Committee will certainly consider that opinion as nugatory as the disapprobation of any other large body of men would be, which neither could nor ought to influence judges in the exercise of their duty, and the discharge of their consciences. They will go into Westminster Hall, and pronounce a judgment which will be an
effectual

effectual and legal discharge or condemnation of Mr. Hastings, however it may differ from the opinion of the House, composed of Peers who have not attended the trial; it would therefore be more becoming the dignity of this House to let the report lie on the table, without making any order on it, because none can be made that is consistent with common sense. It is certainly true that the objection would have been as valid to going into a Committee; but the discussion was thought by many of use; it cannot be of use to push it to an absurdity out of respect to form, especially when an attachment to form will lead us to a possible injustice as well as absurdity. If the House should be of opinion that the Committee are mistaken, and that Mr. Hastings is guilty, the Committee being composed of those Peers who have attended Westminster Hall, and are the judges in this trial, will nevertheless prevail in acquitting him, and the House, who are not his judges, will have ineffectually and extrajudicially slandered his reputation, and delivered down to posterity a libel upon the defendant, and a censure upon his judges. I do not know what the precedents are, but I know that the present trial, from its extraordinary length, differs so materially from every other on the records of Parliament, that no precedent can apply. The objection might not have occurred in short trials, where all the Peers attended the whole trial; and the same persons decided all questions on that trial, whether in Westminster Hall as judges, or in the Committee and in the House of Peers—the place and form, not the substance, was changed; no difference of opinion on the same points was to be apprehended: but in a trial of so many years, where variety of changes by death or creation have taken place, and many from illness and fatigue have not attended the conclusion who

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attended the commencement of the trial ; and at length the judges are reduced to less than thirty ; in such a case, the judges bear no proportion to the House of Peers, who are to vote upon the report of the Committee, and who may, without inconsistency, differ with the judges, though they cannot influence their conscience or their conduct. If the forms of the House do not admit the proposition, that the report do lie upon the table, the previous question must enable the House to get rid of a question not fit to be put. I shall therefore move the previous question.

The LORD CHANCELLOR a second time left the woolpack to maintain his former argument, and to assert that any farther or different line of proceeding would be perfectly inept and nugatory. The noble and learned Lord, he said, could not be ignorant, that when a question upon a point of law had been solemnly argued at the bar, previous to the judges of the Court delivering their opinion *singulatim* from the bench, it was usual to hold a consultation, when the grounds of the argument on both sides were discussed ; objections, as they rose in the mind of each judge, were started, considered by the other judges, and answered, as far as reply suggested itself ; and after due consideration of the whole matter, the judges proceeded to deliver their opinions in Court : but it was no unusual matter for each judge to adhere to his original opinion, and to state it, with the reasons for it, from the bench. In like manner, his Lordship considered that stage of the business. The House was holding a consultation with respect to their subsequent mode of proceeding, and the more free and unfettered it was, the better in his judgment. The Committee had certainly afforded scope for much valuable discussion ; it had been the means of

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throwing a considerable degree of light on the evidence, and had certainly removed a great deal of difficulty in regard to the formation of an ultimate judgment on the cause; but to what purpose pass a vote on the report, when it was agreed on all hands that it would conclude nothing?

Lord THURLOW once more rose and said, he had heard nothing that weighed in his mind sufficiently to justify a departure from precedent and long established custom. The noble and learned Lord had aptly enough compared their present situation to that of the judges of any Court in Westminster Hall, holding a consultation after a solemn argument at bar, previous to their delivering their opinions *ingulatum* in Court. How did their Lordships disposing of the report one way or another apply as an objection? Whether they agreed to the report, or negatived any part of it, they were as free to hold a consultation upon their respective opinions as ever. His Lordship having adverted to the Earl of Middlesex's case, stated in the former report of a Committee of their Lordships, mentioned what had been the proceedings of the House previous to the giving judgment in Westminster Hall. He added farther reasoning, but steadily adhered to his first argument, declaring, that if any question was put in that stage of the proceeding, other than to agree to the resolution that had been read, it could only be the previous question.

On the question being put by the Lord Chancellor, on the previous question, viz. "That this question be now put," the numbers were,

Contents, 6; Not Contents, 14.

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The remaining resolutions were then, by consent, read short, and agreed to.

Ordered, That the impeachment be taken into farther consideration on Friday next.

FRIDAY, *April 17.*

LORD THURLOW rose, and said, the next point to be adjusted was, the mode and form of the questions to be put to their Lordships individually, when they gave judgment in Westminster Hall, on the impeachment of Warren Hastings, Esq. From the moment that their Lordships had taken the subject into their consideration, after the case had been closed on both sides in the Court below, it had been settled that the articles should be discussed separately, not only article by article, but charge by charge, as many as were found to be contained in each article. His Lordship said, that he had suggested this mode of discussion, in the first instance, in order to remove obvious difficulty and avoid embarrassment, which must have been the case, where any difference of opinion was likely to be entertained; and in order to leave each noble Lord perfectly free and unfettered as to the operation of his judgment, upon every one distinct criminal charge. As far as the nature of the case should be found to require it, his own opinion was, that the same line of conduct ought to be pursued with regard to the questions to be put in Westminster Hall: where there were several distinct charges contained in one article, it would, he conceived, be proper to put several distinct questions. He owned, however, he had been a good

deal struck with the opinion stated by the noble and learned Lord, when discussing the first article, viz. that although it consisted of several facts averred to be matters of distinct criminal charge, yet that all of them collectively amounted only to one material charge of high crime and misdemeanor; and that, had the article been properly drawn, the arrest would perhaps have been the only, or at least the principal charge averred in the first article. It was indisputably true, that they were but so many constituent parts of one whole, and were so far relatively connected, that, though separately averred, they might all, without embarrassment or difficulty, be comprehended in one question to this effect: “ Is the defendant, “ Warren Hastings, guilty of the charges of high crime and misdemeanor contained in the first article of the impeachment ? ” His Lordship said, he wished to hear the sentiments of other noble Lords, before he moved it as a question to be put.

Lord RADNOR said, he had some difficulty in regard to the first article. It consisted of various charges, with respect to some of which, he might think Mr. Hastings criminal, and with respect to others, he might deem him innocent. He thought it might be considered as divisible under five distinct heads of charge, in which case every noble Lord, who entertained a different opinion upon the different charges, might satisfy his conscience and his judgment, by answering, as he was convinced, to the question that should be put upon each. He did not, however, mean to offer any resistance to the motion; he wished, nevertheless, to hear the opinions of other noble Lords on the subject, with respect to the law and justice of the case, and in respect to the mode of delivering judgment.

The LORD CHANCELLOR said, that as the noble and learned Lord had already stated, the article certainly did contain several charges separately averred, but most of them were not substantive charges, only matters of aggravation, and tending to lead to, and substantiate the material facts that were, in the consideration of law and justice, the high crimes and misdemeanors to be decided upon. He thought, therefore, the whole article might be comprehended under the single question of—Is the defendant guilty, or not guilty, of the high crimes and misdemeanors charged in the first article.

Lord THURLOW said, the opinion of the noble Earl was certainly of weight, and entitled to great respect; if it was generally the wish of their Lordships to subdivide the article, and put five distinct questions, he had no objection; but he really saw no occasion for it, as the fine, the arrest, and the deposition of Cheyt Sing constituted the essential charge, and the other facts averred as matters of criminal charge, were either to be deemed matters of aggravation, or inducements to the material charge. His Lordship having farther explained the grounds of argument, which had induced him to entertain the opinion he had before stated to their Lordships respecting the Benares article, moved the question in form, as he had first proposed it; which having been unanimously agreed to,

Lord Thurlow moved, “ That each Peer give his answer to the question, by laying his right hand on his breast, and saying, *Guilty*, or *Not Guilty*, upon my honour.—Ordered.

Lord Thurlow next observed, that the article concerning the treatment of the Begums, certainly consisted of two parts: the violation

violation of the Company's guarantee was one, and the resumption of the jaghires, and seizing of the treasures in possession of the Begum, the other; but as one led to the other, and both were connected, he thought both might be comprehended under one question, and should move accordingly, unless some noble Lord should object to it. No objection being offered, the question was so put and agreed to.

The next article, being the sixth, containing the several charges respecting the presents,

The Earl of MANSFIELD rose and said, he thought that the charges contained in that article stood on such different grounds from each other, and were so distinct in their nature, that they could not be comprehended under one general question of *Guilty* or *Not Guilty*; because, if that was the case, how could those who thought the defendant guilty of any one charge of taking a present, acquit him upon the whole article? Or, on the other hand, how could those who thought him innocent of some, but guilty of others, condemn him upon the whole? Until he was better advised, his Lordship said, he should think the several distinct charges required as many distinct questions to be put respecting them.

Lord WALSINGHAM said, he felt exactly in the same manner respecting the article relative to the contracts; in some instances he might think Mr. Hastings criminal; in others not so: and therefore he felt the necessity of putting distinct questions on each head of charge contained in the fourth article.

Lord THURLOW said, it was enough to incline him to agree to put separate questions, to hear that any one Lord desired or felt it
proper

proper to meet the respective charges contained in the two articles of presents and contracts, with distinct and separate questions.

Distinct questions were accordingly agreed to be put and taken *singulatim*, on the six charges contained in the sixth article, viz. the presents which Mr. Hastings was charged to have corruptly taken in the years 1772, 1773, and 1774; the presents of two lacks of rupees corruptly received and taken from Sadanund, the buxy of the Rajah Cheyt Sing; the sum of money amounting to four lacks of rupees taken and received from Kelleraam, on behalf of himself and a certain person called Cullian Sing; the sum of fifty-eight thousand rupees received and taken as a present from Nundoolol; the present of ten lacks of rupees taken and received from the Vizier at Chunar, in September, 1781; and a sum of money amounting to thirty-four thousand pounds sterling, charged as first fraudulently solicited as a loan, and afterwards as corruptly and illegally taken and retained as a present from Rajah Nobkissen.

Seven distinct questions were ordered, in like maner, to be put *singulatim* on the fourth article, viz. the opium contract, granted to Mr. Stephen Sullivan for four years, without advertizing the same, and on terms glaringly extravagant, and wantonly profuse; the having borrowed money at a large interest to advance to the contractor for opium, and engaging the East-India Company in a smuggling adventure to China; granting the bullock contract to Charles Croftes, Esq. granting the provision of bullocks by agency to Sir Charles Blunt; the several allowances to Sir Eyre Coote, and directed to be paid him by the Vizier; the appointment of James Peter Auriol, Esq. to be agent for the purchase of supplies for relief of the presidency of Madras, and the other presidencies in India,

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with a commission of fifteen per cent. and the appointment of John Belli, Esq. to be agent for the supply of stores and provisions for the garrison of Fort William, in Bengal, with a commission of thirty per cent.

It was then moved and agreed to, that the questions to be put, be printed for the use of their Lordships, and are as follows.

Questions to be put to the Lords in Westminster Hall, on the impeachment of WARREN HASTINGS, Esq.

Die Veneris, 17^o Aprilis, 1795.

Resolved, by the Lords spiritual and temporal in Parliament assembled, that the following questions be put to the Lords in Westminster Hall, viz.

1. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the first article of charge?

2. Is Warren Hastings Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the second article of charge?

3. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to the said Warren Hastings having, in the years 1772, 1773, and 1774, corruptly taken the several sums of money charged to have been taken by him in the said years from the several persons in the said article particularly mentioned?

4. Is

4. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or before the 26th of June, 1780, corruptly received and taken from Sadanund, the Buxy of the Rajah Cheyt Sing, the sum of two lacks of rupees as a present or gift?

5. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in October, 1780, taken and received from Kelloram, on behalf of himself and a certain person called Cullian Sing, a sum of money amounting to four lacks of rupees, in consideration of letting to them certain lands in the province of Bahar in perpetuity, contrary to his duty, and to the injury of the East-India Company?

6. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in the year 1781, received and taken as a present from Nundoolol the sum of fifty-eight thousand rupees?

7. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or about the month of September, 1781, at Chunar in the province of Oude, contrary to his duty, taken and received as a present from the Vizier the sum of ten lacks of rupees?

8. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having first

fraudulently solicited as a loan, and of his having afterwards corruptly and illegally taken and retained as a present or gift, from Rajah Nobkissen, a sum of money amounting to 34,000*l.* sterling ; and of his having, without any allowance from the Directors, or any person authorised to grant such allowance, applied the same to his own use, under pretence of discharging certain expences, said to be incurred by the said Warren Hastings in his public capacity ?

9. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having, in the year 1781, granted a contract for the provision of opium for four years, to Stephen Sullivan, Esq. without advertising for the same, and upon terms glaringly extravagant and wantonly profuse, for the purpose of creating an instant fortune to the said Stephen Sullivan ?

10. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having borrowed money at a large interest for the purpose of advancing the same to the contractor for opium, and engaging the East-India Company in a smuggling adventure to China ?

11. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the contract for bullocks, granted to Charles Croftes, Esq. ?

12. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having
granted

granted the provision of bullocks to Sir Charles Blunt, by the mode of agency?

13. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the several allowances charged to have been made to Sir Eyre Coote, and directed to be paid by the Vizier for the use of the said Sir Eyre Coote?

14. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the appointment of James Peter Auriol, Esq. to be agent for the purchase of supplies for the relief of the presidency of Madras, and all the other presidencies in India, with a commission of fifteen per cent.?

15. Is Warren Hastings, Esq. guilty, or not guilty of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the appointment of John Belli, Esq. to be agent for the supply of stores and provisions for the garrison of Fort William in Bengal, with a commission of thirty per cent.?

16. Is Warren Hastings, Esq. guilty, or not guilty, of the residue of the high crimes and misdemeanors, or any of them, charged upon him by the impeachment of the Commons?

Resolved, by the Lords spiritual and temporal, in Parliament assembled, that the said questions shall be severally put in Westminster Hall to each of the Lords, beginning with the junior Baron; and that the only answer shall be given by each Lord in

these these words ;—" Guilty, upon my honour ;" or, " Not
" Guilty, upon my honour ;" laying his right hand on his breast.

Lord Thurlow concluded with moving that their Lordships proceed farther in Westminster Hall with the impeachment of Warren Hastings, Esq. on Thursday next, and that notice of the same be sent to the House of Commons.

Ordered, that this House do proceed farther in the trial of Warren Hastings, Esq. on Thursday morning next, at ten of the clock, in Westminster Hall.

THURSDAY, *April 23.*

The LORD CHANCELLOR having given notice the preceding day that he would come down to the Chamber of Parliament at eleven next morning, in order, as soon as their Lordships should assemble, to send the Commons word that they were ready to proceed to Westminster Hall, to give judgment on the impeachment of Warren Hastings, Esq. the Lords who meant to pronounce a verdict upon the several questions *ſingularim*, previously settled to be put to each individual Peer who went into the Hall to sit in his robes as a judge upon the impeachment, were present about twelve o'clock.

The Lord Chancellor then rose, and desired that farther directions might be given concerning the farther proceedings upon the trial of Warren Hastings, Esq. in Westminster Hall.

It was moved to leave out in the sixteenth question, agreed to be put to the Lords in Westminster Hall, after the words, " not guilty
of ;"

of," the following words, "the residue of the." The same was agreed to, and ordered accordingly. Then it was moved to leave out in the same question, after "misdemeanors," the words "or any of them;" the same was agreed to, and ordered accordingly. It was next moved to insert in the same question, after the words "by the," the following words, viz. "the residue of the:" agreed to, and ordered accordingly.

Then it was moved to amend the resolution touching the manner of putting the questions to the Lords in Westminster Hall, by leaving out the word "put," after the word "severally;" and inserting instead thereof the word "stated:" agreed to, and ordered accordingly. Also in the same resolution, after the words "Westminster Hall," to insert the words "and the following question put:" the same was agreed to, and ordered accordingly. Also in the same resolution, after the words "junior Baron," to insert the following words, "Is Warren Hastings, Esq. guilty, or not guilty?" the same was agreed to, and ordered accordingly. Then it was agreed by the House and ordered, that the Lord Chancellor having taken the votes upon each of the said questions, shall declare the majority to the House, and also to the defendant, as soon as he shall be brought to the bar.

The Earl of CAERNARVON observed, that the 16th question ordered to be put to the Peers in Westminster Hall, notwithstanding the alteration it had received, left him in considerable embarrassment, as he doubted whether it was possible to give to it the simple answer of Guilty or Not Guilty, and the order of the House prohibited a qualified or special verdict.

The

The division of the articles of impeachment into several questions to be put to the Peers as judges, has not been done with sufficient accuracy ; so that several matters (contained in the four articles particularly discussed in the Committee) which are criminally charged in their respective articles, have been in the subdivision omitted, and will therefore neither meet with acquittal nor condemnation, except under the last sweeping question : any person who will compare the articles of impeachment exhibited by the Commons, and answered by the defendant, with the evidence adduced, will see that the questions do not cover all the matter criminally charged in the articles ; and consequently if no more accurate subdivision is made, or more comprehensive question put, as in the 1st and 2d articles, much criminal matter will escape judgment ; as for instance (amongst many others) in the article relating to contracts, the exorbitant sum given to Mr. Ferguson for the relinquishment of the bullock contract, which might have been terminated by notice without any expence, is charged criminally by the Commons, and is neither comprehended in the terms of the 11th nor 12th questions. Several articles exhibited by the Commons, and answered by the defendant in his reply at the bar, and opened generally by the Managers, have been supported by witnesses and evidence, produced in the course of the discussion, of the particular articles specially opened, as in the 2d article, much evidence was produced, and some admitted only as applicable to parts of the 9th, 10th, and 11th, and other articles, and yet no question, except the last or 16th question, comprehends those matters which, whether sufficiently proved or sufficiently refuted, remain a subject to the judgment of the Court ; though the Managers did not think fit
to

to open them particularly, or dwell farther on them after the evidence they had already given. The 2d article on the subject of the Begums is so much involved in all those matters which respect the treaty of Chunar, and the conduct of Mr. Hastings towards the Nabob of Oude, that the evidence essential to one could not in possibility be indifferent to the others. The 16th question supposes a residue of matter criminally charged; for if there is no such residue, the question is idle and nugatory; if there is more than one single fact criminally charged in that residue, the question should be so framed as to enable those who are to decide, to affirm Guilty or not Guilty, not only of the whole but of any part. The terms of the 16th question, as now altered, seem capable of an interpretation by which the answer of Guilty must be supposed to apply to all the residue charged in the original articles of impeachment; and the phrase of Not Guilty may seem to imply that he was guilty of no part. To neither of these conclusions does the evidence permit me to subscribe, and consequently I should be obliged, in disobedience to the order of the House, to give a qualified judgment to the 16th question, which might occasion an adjournment to the Chamber of Parliament, an event productive of inconvenience and ill effect, to be avoided if possible; and the alteration of the words, or at least an explanation from the House that the answer of Guilty to the 16th question is to be understood to mean that the defendant is guilty of high crimes and misdemeanors charged in some part of the residue, will remove all the difficulty, and no more minute subdivision will then be necessary, unless the defendant should be found guilty, in which case alone a more accurate calculation of the quantum of guilt must precede any possible punishment.

Lord

Lord THURLOW said, he could not avoid expressing his surprise at the observations made by the noble Earl in the present stage of the business. He called to the recollection of their Lordships, that in the various discussions which this important subject had received, he had repeatedly desired every noble Lord who entertained a doubt upon any allegation in any article, to propose a question either in a Committee of the whole House, or in the House, upon the report. It was at the suggestion of different Lords, that the various questions were proposed on which they were that day to vote in Westminster Hall. The noble Earl made no objection to their Lordships' taking the second article in a single question, nor to the division of the fourth article into five questions. The noble Earl did not object to their Lordships' comprising all the other points on which the Commons had given no evidence, as well as the remainder of the articles on which evidence was given, in a single question. If he had, their Lordships might have come to twenty-six, instead of sixteen, verdicts in Westminster Hall. Lord Thurlow said, he had subdivided the matter on which evidence had been given, according to his ideas of the importance of the subject; but he never presumed to limit the noble Earl, or any other noble Lord, and therefore, if the division had not been made with sufficient accuracy, in the noble Earl's opinion, he must say the noble Earl himself was to blame; he had attended the discussion through every stage, and the noble Earl might have submitted his ideas to the House as often as he thought proper.

The LORD CHANCELLOR, who had first suggested the propriety of those amendments in the questions which the House had adopted, next stated the necessity of deciding that he ought to be at liberty

liberty not to state to each Lord the whole question, as it would lead into great length, and answer no useful purpose, since stating it once at large, previous to his beginning to put the question upon it to each individual Peer, beginning with the junior Baron, would as effectually answer the end, and save their Lordships much time; but it was necessary to make an order to this effect, as the literal import of the order already made required that he should repeat each question to every Peer, on desiring him to say whether the defendant was *guilty* or *not guilty* of each particular charge.

Lord THURLOW and several other Lords declared their approbation of the proposed amendment.

A few words passed as to the conduct eventually to be held, if the Managers for the Commons should insist on speaking; but as it did not appear probable that the Managers would urge any such claim, nothing was settled on that point. Had the Managers, therefore, claimed it as their right, the Lords, in all probability, would have retired to their Chamber of Parliament to debate the propriety of the claim, and adjust the decision upon it.

The order of the day being read for the proceeding farther in the trial of Warren Hastings, Esq. upon the articles of impeachment brought up against him by the Commons, for high crimes and misdemeanors, the Lords were called over by the clerk at the table. Then the house was adjourned into Westminster Hall, and the Lords proceeded there at half after twelve in the usual form, and after making an obeisance respectively to the throne, being seated in their places, according to their rank of peerage, the House was resumed.

Proclamation having been made in the usual way, Warren Hastings, Esq. and his bail were called into Court, and the defendant having knelt, and been directed to rise, was ordered to withdraw.

Then the LORD CHANCELLOR stood up and said,

“ Your Lordships having fully heard and considered of the evidence and arguments in this case, have agreed upon several questions, which are severally to be stated to your Lordships in the usual manner.”

The Lord Chancellor held in his hand a list of the titles of the Peers present, who had taken their seats in their robes,* and proceeded to put the first question to each individual Peer, beginning with the junior Baron, in the following terms :

1st. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the first article of charge ?

George, Lord *Douglas* (Earl of Morton in Scotland,) how says your Lordship, is Warren Hastings, Esq. guilty or not guilty of the said charge ?

Whereupon, Lord *Douglas* stood up uncovered, and laying his right hand on his breast, pronounced—Not guilty, upon my honour.

The Lord Chancellor then put the same question to all the Peers in robes, as follows :

* The rest of the House, who, either from having been created Peers, or succeeded to their titles, since the commencement of the trial, or who, from motives of conscience did not chuse to vote in judgment, stood unrobed about the throne, spectators of the awful solemnity.

James,

James, Lord *Fife*, how says your Lordship?—Not guilty, upon my honour.

Charles, Lord *Somers*, how says your Lordship?—Not guilty, upon my honour.

Francis, Lord *Rawdon*, (Earl of Moira, in Ireland,) how says your Lordship?—Not guilty, upon my honour.

Thomas, Lord *Walsingham*, how says your Lordship?—Not guilty, upon my honour.

Edward, Lord *Thurlow*, how says your Lordship?—Not guilty, upon my honour.

Martin, Lord *Hawke*, how says your Lordship?—Not guilty, upon my honour.

Frederick, Lord *Boston*, how says your Lordship?—Not guilty, upon my honour.

Edwin, Lord *Sandys*, how says your Lordship?—Not guilty, upon my honour.

Henry, Lord *Middleton*, how says your Lordship?—Not guilty, upon my honour.

Samuel, Lord Bishop of *Rocheſter* (Dr. Horsley,) how says your Lordship?—Not guilty, upon my honour.

John, Lord Bishop of *Bangor* (Dr. Warren,) how says your Lordship?—Not guilty, upon my honour.

Thomas, Lord Viſcount *Sydney*, how says your Lordship?—Not guilty, upon my honour.

George, Lord Viſcount *Falmouth*, how says your Lordship?—Not guilty, upon my honour.

Henry, Earl of *Caernarvon*, how says your Lordship?—Guilty, upon my honour.

Joseph, Earl of *Dorchester*, how says your Lordship?—Not guilty, upon my honour.

Algernon, Earl of *Beverley*, how says your Lordship?—Not guilty, upon my honour.

Jacob, Earl of *Radnor*, how says your Lordship?—Guilty, upon my honour.

William, Earl *Fitzwilliam*, how says your Lordship?—Guilty, upon my honour.

George, Earl of *Warwick*, how says your Lordship?—Not guilty, upon my honour.

George William, Earl of *Coventry*, how says your Lordship?—Not guilty, upon my honour.

John, Earl of *Suffolk*, how says your Lordship?—Guilty, upon my honour.

George, Marquis *Townshend*, how says your Lordship?—Not guilty, upon my honour.

Francis, Duke of *Bridgewater*, how says your Grace?—Not guilty, upon my honour.

Francis, Duke of *Leeds*, how says your Grace?—Not guilty, upon my honour.

Charles, Duke of *Norfolk*, how says your Grace?—Guilty, upon my honour.

David, Earl of *Mansfield*, how says your Lordship?—Not guilty, upon my honour.

William, Lord *Archbishop of York*, how says your Grace?—Not guilty, upon my honour.

Alexander, Lord *Loughborough*, the Lord Chancellor, pronounced—Guilty, upon my honour.

Upon

Upon the remaining fifteen questions the Peers voted in the following manner :

2. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the second article of charge ?—*Guilty*, 6.—*Not Guilty*, 23.

3. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to the said Warren Hastings having, in the years 1772, 1773, and 1774, corruptly taken the several sums of money charged to have been taken by him in the said years from the several persons in the said article particularly mentioned ?—*Not guilty unanimously*.

4. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or before the 26th of June, 1780, corruptly received and taken from Sadanund, the Buxey of the Rajah Cheyt Sing, the sum of two lacks of rupees as a present or gift ?—*Guilty*, 4.—*Not Guilty*, 23.

5. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in October, 1780, taken and received from Kellaram, on behalf of himself and a certain person called Cullian Sing, a sum of money amounting to four lacks of rupees, in consideration of letting to them certain lands in the province of Bahar in perpetuity, contrary to his duty, and to the injury of the East-India Company ?—*Guilty*, 3.—*Not Guilty*, 23.

6. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in the year 1781, received and taken as a present from Nundoolol the sum of fifty-eight thousand rupees?—*Guilty*, 3.—*Not Guilty*, 23.

7. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or about the month of September, 1781, at Chunar, in the province of Oude, contrary to his duty, taken and received as a present from the Vizier the sum of ten lacks of rupees?—*Guilty*, 3.—*Not Guilty*, 23.

8. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having first fraudulently solicited as a loan, and of his having afterwards corruptly and illegally taken and retained as a present or gift, from Rajah Nobkissen, a sum of money amounting to 34,000*l.* sterling; and of his having, without any allowance from the Directors, or any person authorized to grant such allowance, applied the same to his own use, under pretence of discharging certain expences said to be incurred by the said Warren Hastings in his public capacity?—*Guilty*, 5.—*Not Guilty*, 20.

9. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having, in the year 1781, granted a contract for the provision of opium for four years to Stephen Sullivan, Esq. without advertising for the same,

same, and upon terms glaringly extravagant and wantonly profuse, for the purpose of creating an instant fortune to the said Stephen Sullivan?—*Guilty*, 5.—*Not Guilty*, 19.

10. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having borrowed money at a large interest for the purpose of advancing the same to the contractor for opium, and engaging the East-India Company in a smuggling adventure to China?—*Not Guilty unanimously*.

11. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the contract for bullocks granted to Charles Croftes, Esq.?—*Guilty*, 3.—*Not Guilty*, 23.

12. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having granted the provision of bullocks to Sir Charles Blunt, by the mode of agency?—*Guilty*, 3.—*Not Guilty*, 23.

13. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the several allowances charged to have been made to Sir Eyre Coote, and directed to be paid by the Vizier for the use of the said Sir Eyre Coote?—*Guilty*, 4.—*Not Guilty*, 22.

14. Is Warren Hastings, Esq. guilty or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the appointment of James Peter Auriol, Esq. to be agent for the purchase of supplies

plies for the relief of the presidency of Madras, and all the other presidencies in India, with a commission of fifteen per cent.?—*Guilty*, 4.—*Not Guilty*, 22.

15. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the appointment of John Belli, Esq. to be agent for the supply of stores and provisions for the garrison of Fort William in Bengal, with a commission of thirty per cent.?—*Guilty*, 3.—*Not Guilty*, 23.

16. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors charged upon him by the residue of the impeachment of the Commons?—*Guilty*, 2.—*Not Guilty*, 25.

*Distinct Summary of their Lordships' Votes, pronounced on
the Defendant.*

Lord *Chancellor*.—Not guilty on the 3d, 10th, and 16th.—*Guilty* on the residue.

Earl of *Mansfield*.—*Guilty* on the 8th.—*Not Guilty* on the residue.

Duke of *Norfolk*.—*Guilty* on the 1st and 2d.—No verdict on the residue.

Earl of *Suffolk*.—*Guilty* on the 1st, 2d, and 4th.—*Not Guilty* on the 16th.—No verdict on the residue.

Earl *Fitzwilliam*.—*Not Guilty* on the 3d and 10th.—*Guilty* on the residue.

Earl of *Radnor*.—*Guilty* on the 1st, 2d, 8th, 9th, 13th, 14th.—*Not Guilty* on the residue.

Earl

Earl of *Beverley*.—No verdict on the 9th.—Not guilty on the residue.

Earl of *Caernarvon*.—Not guilty on the 3d and 10.—Guilty on the residue.

Viscount *Sidney*.—Not guilty on the 1st and 2d.—No verdict on the residue.

Lord *Boston*.—No verdict on the 8th, 9th, 10th.—Not guilty on the residue.

Lord *Walsingham*.—Guilty on the 9th.—Not guilty on the residue.

Archbishop of *York*.

Duke of *Leeds*.

Duke of *Bridgewater*.

Marquis *Townshend*.

Earl of *Warwick*.

Earl of *Coventry*.

Earl of *Dorchester*.

Viscount *Falmouth*.

Bishop of *Bangor*.

Bishop of *Rochester*.

Lord *Middleton*.

Lord *Sandys*.

Lord *Hawke*.

Lord *Thurlow*.

Lord *Rawdon*.

Lord *Somers*.

Lord *Fife*.

Lord *Douglas of Lochleven*.

Not guilty on any one
charge.

The 3d and 10th not guilty unanimously.

Having thus collected the judgment of their Lordships on each of the twenty charges, the Lord Chancellor declared that a very large majority of the Lords present, had answered the said several questions in the negative; and then declared, that Warren Hastings, Esq. is acquitted of the articles of impeachment exhibited against him for high crimes and misdemeanors, and all things contained therein.

Then the defendant was ordered to be called to the bar, and kneeling, was bid to rise.

The LORD CHANCELLOR then said,

“ Warren Hastings, Esq.

“ I am to acquaint you that you are acquitted of the articles of impeachment, &c. exhibited against you by the House of Commons for high crimes and misdemeanors, and all things contained therein, and you are discharged, paying your fees.”

Mr. Hastings bowed respectfully, and retired.

The Lord Chancellor then put the question, “ Is it your Lordships’ pleasure to adjourn to your Chamber of Parliament ?”

Ordered, and their Lordships adjourned accordingly to their Chamber of Parliament. And the Lords being returned, the House was resumed; and the following order was made:

“ It is ordered by the Lords spiritual and temporal in Parliament assembled, that the Lord High Chancellor do give order for the printing and publishing the trial of Warren Hastings, Esq. and that no other person do presume to print the same.”

(The Hall was much more crowded when the Peers pronounced their opinions severally on each charge, and judgment was given, than it had been on any preceding day of the trial, or perhaps on any former occasion.)

We annex the following List as a matter that may gratify the
Readers of after times.

*List of the Changes in the High Court of Justice in Great Britain,
pending the trial of Mr. HASTINGS.*

DECEASED PEERS.

DUKES.

Cumberland	Montagu
Chandos	Montrose (Earl Graham)
Manchester	Somerfet
St. Alban's	Newcastle
Leeds	Boulton
Marquis of Hertford.	

EARLS.

Huntingdon	Cowper
Ferrers	Waldegrave
Poulett	Kinnoul
Effingham	Mount Edgcumbe
Francis, Earl of Guildford	Camden
Darlington	Hillsborough
Pomfret	Bathurst
Hardwicke	Stanhope
Oxford	Orford
Frederick, Earl of Guildford .	Talbot

E A R L S.

Abercorn	Mansfield
Digby	Exeter
Clarendon	Buckinghamshire
Sandwich	Macclesfield
Strafford	

V I S C O U N T S.

Montagu	Dudley and Ward
Bolingbroke	Montagu
Courtenay	

B A R O N S.

Le Despencer	Dover
Say and Sele	Mulgrave
Grantley	Foley
Boringdon	Elphinston
Berwick	Camelford
Heathfield	King
Craven	Dacre
Romney	Sondes
Rodney	Ponsonby
Gage	Harewood

B I S H O P S.

Dr. Shipley, of St. Asaph	Dr. Ross, of Exeter
Halifax, of St. Asaph	Horne, of Norwich
Beauclerk, of Hereford	Wilson, of Bristol

Dr.

B I S H O P S.

Dr. Harley, of Hereford
Law, of Carlisle
Thurlow, of Durham

Dr. Thomas, of Rochester
Hinchliffe, of Peterborough.

SCOTTS PEERS *in the last, but not in this Parliament :*

Marquis of Lothian
Earl of Caillies
Aberdeen
Selkirk

Earl of Galloway
Hopetown
Dunmore
Kinnaird

C R E A T I O N S.

Duke of Clarence
Barons Heathfield
Kenyon
Dover
Malmfbury
Fisherwick
Fife
Grimstone
Mulgrave
Dundas
Curwen
Douglas, Earl of Moreton

Barons Harewood
Douglas, Lord Douglas
Gage
Grenville
Auckland
Upper Offory
Clive
Littleton
Mendip
Bradford
Selfey
Yarborough

N E W B I S H O P S.

Dr. Douglas, of Salisbury
Cleaver, of Chester

Dr. Buller, of Exeter
Madan, of Peterborough
Dr.

NEW BISHOPS.

Dr. Stuart, of St. David's	Dr. Sutton, of Norwich
Beadon, of Gloucester	Horsley, of Rochester
Horne, of Norwich	Courtenay, of Bristol
Vernon, of Carlisle	

NEW PEERS *of* SCOTLAND.

Earls of Kelly	Earls of Glasgow
Lauderdale	Torphichen
Dumfries	Baron Somerville
Elgin	

PEERS *who have succeeded by Descent.*

Duke of Manchester	Earls Exeter
Newcastle	Mansfield
Montrose, Earl of	Bathurst
Graham	Guilford
Somerset	Darlington
Marquis of Winchester	Buckinghamshire
Hertford	Macclesfield
Abercorn	Mount Edgcumbe
Earls Ferrers	Camden
Poulett	Digby
Clarendon	Albemarle
Sandwich	Viscount Dudley and Ward
Pomfret	Barons Craven
Hardwicke	Montagu, of Boughton
Orford	Clinton

PEERS.

PEERS *who have succeeded by Descent.*

Earls Kinnoul	Barons	Rodney
Stanhope		Camelford
Oxford		Foley
Strafford		Say and Sele
Effingham		Grantley
Hillsborough		Heathfield
Viscounts Montagu		Dinevor
Bolingbroke		Romney
Courtenay		Sondes
Gage		Ponsonby.

Total Peers dead, or Scots Peers in the last, but not in this Parliament	—	—	—	87
Total Creations, new Bishops, and new Scots Peers	—			44
Total Peers succeeding by descent	—		—	49
Total changes since the impeachment				180

N. B. Two Dukes of Somerset, two Earls of Guildford, two Viscounts Montagu, two Bishops of Hereford, and two Bishops of St. Asaph, have died since the trial of Mr. Hastings commenced.

MANAGERS *out of Parliament.*

Mr. Burke, Mr. Adam, Mr. Montagu.

DEAD.

General Burgoyne.

On

On FOREIGN SERVICE, out of the Kingdom.

Sir Gilbert Elliot,

Sir J. Erskine St. Clair.

Succeeded to PEERAGES.

Lord North,

Lord Maitland.

Nine out of Twenty changed.

PROCEED-

PROCEEDINGS

AT THE

EAST INDIA HOUSE

RELATIVE TO

MR. HASTINGS.

U u

P R O C E E D I N G S,

&c.

FRIDAY, *May* 29, 1795.

AT a Court of the Honourable United East India Company,
convened at the desire of nine Proprietors,

P R E S E N T,

Sir STEPHEN LUSHINGTON, *Chairman,*

DAVID SCOTT, Esq. *Deputy Chairman,*

With most of the Directors, and a most numerous appearance of
the generality.

The Chairman informed the Court, that this Court was called at
the desire of nine Proprietors, and submitted that their letter should
be read, which was as follows :

“ *To the Honourable the COURT of DIRECTORS, &c.*

“ GENTLEMEN,

“ WE request that a general Court may be called, to take into
“ consideration the long, faithful, and important services of War-
“ ren Hastings, Esq. late Governor General of Bengal; and,

“ agreeably to the 48th bye-law, we desire that notice may be
“ given that a pecuniary compensation will be proposed, suitable
“ to the importance of those services, and the present situation of
“ Mr. Hastings.

“ We have the honour to remain,

“ GENTLEMEN,

“ Your very obedient, humble servants,

(Signed)

“ W. LUSHINGTON,

“ A. M. TRENCH CHISWELL,

“ R. TWINING,

“ ROBERT PRESTON,

“ EDWARD BLACKETT,

“ WILLIAM BLAAUW,

“ KINNAIRD,

“ ROW. STEPHENSON,

“ DON. CAMERON.”

“ *London,*
“ *May 13, 1795.*”

After the thanks voted at different times to Mr. Hastings by the Court of Directors, and the proposition had been read, and certain accounts, shewing the increase of the revenues under Mr. Hastings's administration, Mr. Alderman LUSHINGTON addressed the Court, as follows :

Mr. Chairman, Having had the honour for one, to sign the letter which has just been read to this full Court, I rise to lay before you, what I believe to be the actual situation of Mr. Hastings at the present moment, and to state my ideas of his claims, both upon your justice, and your gratitude. The Court will recollect that when a remuneration was voted to Lord Corn-

wallis, I pledged myself to lay the case of Mr. Hastings before you, when his trial should be over.

As an individual Proprietor, I acknowledge my obligations to Mr. Hastings, because to his measures I impute the increase of my dividend, and the extension of a commerce so beneficial to us all; but in every other respect, I can very freely declare, that so far from owing personal obligations to Mr. Hastings, from the time I continued in Bengal, after that gentleman came to the government, I have reason to complain of rather hard usage; neither has it happened since his return to England, that we have mixed more than three or four times in private society; I am therefore induced solely by a due sense of public justice, to step forth on the present occasion. On that ground, I shall propose my first essential motion, which is the payment of the law expences of the prosecution of Mr. Hastings; and in proposing the second motion, I am actuated by the sense of important services performed by Mr. Hastings, which entitle him, in my opinion, to a reward similar to that which has been so properly bestowed upon the Noble Marquis Cornwallis. The Proprietors are so fully sensible of the important services of Mr. Hastings, and have reaped so many benefits from them, that perhaps it might be needless to go into any minute statement of them; I will, however, slightly notice the most material events of his public life.—Mr. Hastings went out a writer in your service, in the year 1749, many years prior to that period, when an opening was given for the foundation of that immense empire, which Great Britain possesses in India at this moment. Before the capture of Calcutta, by Surajah Dowlah, in 1756, Mr. Hastings had distinguished himself by his accurate knowledge of the language,

man-

manners, and customs of the people of Bengal, and it was this knowledge which recommended him to the confidence of Lord Clive; by whom, after the revolution of 1757, he was appointed resident, or minister, at the court of the Nabob, Jaffier Ally Cawn. In that situation he continued from 1758, until he became a member of the government, in 1761; a situation in which, if money has been an object to him, he might have acquired a fortune almost to any amount. He continued a member of the government of Bengal, until February, 1765, when he resigned the service, and returned to England. The gentlemen now assembled well know that party heats and violences ran very high in Bengal, on the deposition of Meer Jaffier, and the elevation of Cossim Ally Cawn; and though Mr. Hastings, for a time, joined with the governor in support of the latter, it never had been insinuated that he was actuated by private motives in any action of his life to that period; many years subsequent to it, the minister (Lord North) remarked in the House of Commons, that after the fullest investigation of Indian affairs, the character of Mr. Hastings remained pure and un sullied.

Mr. Hastings continued in England from February, 1765, until March, 1769, when he was sent out as second in council to Fort St. George. It is a known fact, that so very moderate a fortune did he bring home with him in 1765, that before the prospect opened to him of returning again to India, he had, in concert with the late learned Dr. Johnson, formed a plan for establishing a professorship, in the University of Oxford, for the study of the Persian language—Fortunately, however, for the benefit of the Company and the nation, Mr. Hastings was again called into public employment, and was appointed, as I before observed, second in council

at Madras, and to succeed Mr. Dupré in that government. In August, 1771, the Directors removed Mr. Hastings to his old establishment Bengal, and ordered that he should succeed Mr. Cartier. During the two years and a half that Mr. Hastings remained at Madras, his conduct, as second in council, received the marked approbation of the Court of Directors, and he was in the highest degree of estimation with his fellow servants, and with the Nabob and his subjects. In April, 1772, he became governor of Bengal, and quitted it in February, 1785. If I were to comprize the whole history of his government in the fewest possible words, I should say, that in that period he preserved our empire against the most formidable combination ever formed for its destruction; that he considerably extended its bounds, and nearly doubled its annual resources. These are facts now of such general notoriety, that perhaps it would be wasting your time to expatiate more fully upon them—allow me however just to assert, that the present prosperity of Bengal, and its advantageous connection with foreign states, originated in the measures adopted by Mr. Hastings, in the two first years of his administration. It was under his administration in 1772, that Bengal was directed to be governed, not through the medium of a native minister, as heretofore, but by the direct agency of your own servants. In a scene so perfectly new, Mr. Hastings displayed the greatest abilities, and his arrangements then made for the internal government of Bengal, the collection of your revenues, and the due administration of justice, recommended him to Lord North, to whom he was an entire stranger, as the most proper person to fill the high office of Governor General of India. In the next year, 1773, Mr. Hastings formed that intimate connection
with

with Oude, to which you owe the acquisition of the rich provinces of Benares and Ghazipore, the extension of your influence to the source of the Ganges, and an annual subsidy of half a million sterling. From the acquisition of the Duannee, in 1765, to the accession of Mr. Hastings to the government of Bengal in 1772, nearly a third of the British army had been kept in Oude, and paid by the extraction of specie from Bengal. Mr. Hastings most wisely adopted a new line of policy. He met Sujah Dowlah at Benares, in 1773, he plainly told him, that in future, not a man should pass the bounds of the Company's provinces for his service, unless he paid for him. This immediate consequence of this negotiation was, the sale of Corah, and Allahabad, and in the next year, the Rohilla war. Two measures founded in true policy, and in justice, and productive of very great advantages to the Company at that time, in so far they brought nearly a million sterling immediately into Bengal, and actually secured the tranquillity both of Bengal and Oude, from 1773 to the present time—for to my understanding it is perfectly clear, and I am justified in my opinion by late events, that if the Rohillas in 1775, when Sujah Dowlah died, had possessed the power in Rohilcund, which they enjoyed prior to the Rohilla war, so warlike a people would have overrun the dominions of a young feeble prince, who succeeded to a government with an empty treasury, and a mutinous and discontented army. The services performed by Mr. Hastings in the two first years of his government were of the nature that I have stated; you felt the effects of them in the purchase of your cargoes in Bengal, by surplus resources, as well as in the extinction of the bonded debt of Bengal. In fact, from the year 1772 to the year 1780, cargoes
to

to the amount of a million sterling, and sometimes more, were sent from Bengal to Great Britain, without draining your treasury here of a shilling, and considerable supplies were sent by Mr. Hastings to Madras, to Bombay, and to China. At a later period of his administration, when the restless ambition of France had involved us in every quarter of the globe, look to the situation of Mr. Hastings, to his exertions, to the counteractions he met with, and his ultimate success. The events of that war are well known. In America, in the West Indies, and in Europe, this country was dismembered of its ancient possessions.—But in India, though attacked by the Mahrattas, and by Hyder Ally Cawn, in conjunction with the French, Mr. Hastings contrived first to preserve the Soubah of the Decan, and Moodajee Boussa, the Rajah of Berar, in a state of neutrality, next to conclude a separate treaty with Madajee Sindia, the most powerful of the Mahratta chiefs, which was followed by a general peace with the Mahrattas, and he enabled the government of Fort St. George to continue the war, until the restoration of peace in Europe, left us but a single enemy to cope with, who in the next year agreed to terms of pacification.

In the course of this war, as you well know, Mr. Chairman, the supplies in men, money, and provisions, which were remitted from Bengal by Mr. Hastings, to Madras and Bombay, amounted to above seven millions sterling. Troops were sent across the continent of India, to the support of our different settlements, and every exertion that man could make for your preservation, was made by Mr. Hastings. Before his government commenced, the income and expenditure of Bengal barely balanced each other, but by his arrangements, he was enabled to perform all the services

which I have enumerated, and only drew upon you during the most distressing period of the war, for a sum of money equal to the cargoes that he sent to you. Of his important services this Court has declared its fullest sense—I am sorry to say, that in another place, a difference of opinion did at one time prevail—by two Committees of the House of Commons, very strong disapprobation was undoubtedly expressed of all those acts by which you have derived so many advantages. The fact which I am now going to state, is of a nature so very extraordinary, that I wish gentlemen to examine it accurately, as I have done, before they give their full assent to it—of the truth of it, I have no doubt.—The fact is this, that the measures condemned by the reports of the Committees of the House of Commons, and which furnished the grounds for the impeachment of Mr. Hastings, did actually produce to this Company, adding the interest to the principal, the sum of thirty-four millions, seven hundred and seventy thousand pounds, and will produce in future an annual revenue of more than two millions sterling. My fellow Proprietors may be assured, that I would not hazard an assertion of this magnitude without full examination. You all well know that when Mr. Hastings left Bengal in February, 1784, he had every reason to believe, there would not be a second opinion, as to the importance of his services, or the rewards which they merited from his employers. By the natives whom he had governed, he was undoubtedly so well beloved, that their powerful voice attended him in the hour of his trial, when the charge against him was, having plundered and oppressed them. By the army and his fellow servants, he was so highly respected, that the witnesses selected to appear in support of the prosecution, have given him as
high

high a character as man could receive. By his Majesty's Indian minister, he was declared in Parliament to have been the favour of India; by the gentlemen behind that bar, he was gratified by an unanimous vote of thanks for his long, faithful, and able services, and the Court of Proprietors have invariably supported him. Notwithstanding these concurring circumstances, he was accused as a criminal before the late House of Commons, and so extensive was the original charge, that it included every act of the government of a great empire for thirteen years, civil, military, political, and financial. Such an accusation of course included all those measures, by which Bengal has been raised to its present prosperous situation. When Mr. Hastings came to Bengal in 1772, the banks of the Carumnassa were the extent of our boundary, and our only branch of revenue arose from land. In that branch there has been very little variation indeed, from 1765 to the present day, and now the amount of those revenues is fixed for ever, as Mr. Hastings left them; consequently the increase of resources, amounting to two millions five hundred thousand pounds a year arose, and any future increase must arise from the acts of Mr. Hastings, which form the matter of the impeachment. These are the Benares revenues—the Oude subsidy—the salt—and the opium. On each head he has been criminally accused. From Benares you have received above four hundred thousand pounds a year, from 1781 to this day. For creating that revenue Mr. Hastings was impeached. From Oude you have received above fifteen millions sterling since 1773, and you have now fixed a regular subsidy of half a million sterling a year from Oude. Yet, though the gentlemen behind that bar, and his Majesty's Indian ministers, fully approved of the arrange-

ments formed by Mr. Hastings, and though they directed that they should invariably be adhered to, thirteen articles of impeachment were voted against him, under the head of Oude. From salt, you now receive very nearly a million sterling nett revenue a year. Your Directors, and the King's India ministers, have acknowledged that they are indebted to the zeal and abilities of Mr. Hastings for this branch of your revenues. Yet this was censured in one of the select Committee reports as a most oppressive monopoly, and was framed into a charge against Mr. Hastings. From opium, you receive a nett revenue of nearly two hundred thousand pounds a year, and for this addition to your resources you are entirely indebted to Mr. Hastings; prior to his administration, it was an open avowed emolument, enjoyed by your civil servants, who composed the Patna Factory. Mr. Hastings in 1781, gave this contract for four years, precisely upon the same terms, and for the same period that another gentleman had held it for four years, and that two other gentlemen had held it for two years preceding. By this short statement, the Court will see that Mr. Hastings has actually been eight years under trial, for being the author of the prosperity you now enjoy. The end you all know; many of the original charges were abandoned, and after a trial of eight years in duration, he has been acquitted of the whole.—To defend himself against such a mass of accusation, no private fortune could be sufficient, unless indeed that of Mr. Hastings were of a size which some have imputed it to be, and unless the accusation of the Commons were true, that in all his measures he was actuated by the base and fardid view of acquiring for himself and his dependants exorbitant wealth. Of such a charge he has been publicly acquitted, and I

now

now hold in my hand a statement of the fortune of Mr. Hastings, and a letter from that gentleman, authorizing me to say that he will immediately verify it by his oath; from which it appears, that at no period of his life was he worth one hundred thousand pounds, and at this moment his debts amount to more than eighty-five thousand pounds, and all his effects are, his estate at Daylesford, and a share in two Indiamen; so that in truth, without this Court shall pay his law expences, he must give up all he has in the world to enable him to pay his creditors ten shillings in the pound. Such is the situation of a man who has been eight years under trial for the public acts by which this Company has been preserved. Of the veracity of this statement, no honourable mind can entertain a doubt.

But it has been often observed, that though Mr. Hastings possesses no fortune, Mrs. Hastings possesses a very considerable one. To this I am also authorised to speak. Her fortune, which arises from a settlement made upon her at her marriage, and with additions which she has made to it, by the sale of some jewellery, amounts to 30,000*l.* and a house in Park Lane, which is valued at 10,000*l.* in all 40,000*l.*; and this, to the best of Mr. Hastings's knowledge and belief, is the full extent of her fortune. I state these circumstances, as grounds in support of my motion for an annuity. With respect to the payment of the law expences, I deem that to be a mere act of justice, which I am sure will not be refused to Mr. Hastings, because the Company has been in the habit of paying the law expences incurred by their servants in the discharge of their public duty. It is done every day to captains of ships. It was done in the case of Mr. Venable, who was fined, and you paid
both

both the fine and the expences. It is impossible, therefore, to refuse it in the case of Mr. Hastings, who has been acquitted, and whose condemnation must have involved in it, the ruin of the East-India Company. I shall therefore offer no further arguments in support of my first motion.

In regard to the second, it appears perfectly clear, from the statement of Mr. Hastings's fortune, that after the payment of his law expences by this Court, he will owe 15,000*l.* with some property to answer it, undoubtedly, that is, his share of two Indiamen, and the estate of Daylesford, which, if sold for this purpose, will leave him without a subsistence; at least, with a very scanty one indeed. I would therefore propose to give to Mr. Hastings, a sum of money annually, amounting to the interest only, of a single present made to himself, and given to the Company. The amount of the presents given to Mr. Hastings, and accounted for by him to the Company, is 230,000*l.* Of this sum, 100,000*l.* was given to him by the Nabob and his ministers, in 1781. Mr. Hastings immediately expended it in the pay of the troops, and in other public services; but he applied to the Directors for this sum to be given to him at a future period, owing to the narrowness of his fortune. The application was much talked of, both in Parliament and here, at the time, 1782; and a very leading Proprietor, afterwards a Director, (the late Governor Johnstone) declared, that though he would not give Mr. Hastings that present, because it might form a bad precedent, yet he would vote for making up Mr. Hastings's fortune 10,000*l.* a year. I do not wish to go so far; I do not wish to propose giving him one per cent. upon the additional income ~~he has~~ created for this Company, as that would pro-

duce 25,000*l.* a year ; but I propose that we should vote Mr. Hastings what we have voted to his successor, the noble Marquis, 5000*l.* a year, to the expiration of the charter. This vote, I know, will not be conclusive, but as the public services of Mr. Hastings have been so fully acknowledged by his Majesty's India ministers, I hope and trust that they will honour this mark of the Company's sense of Mr. Hastings's services with their approbation, as they have done a similar grant to Lord Cornwallis..

I shall not detain the Court longer, than to desire the repeated thanks of this Court, and the Court of Directors, be read to you, and also a letter from the Directors, under the approbation of the Board of Controul, to Bengal, in which they acknowledge this Company to be indebted to the zeal and abilities of Mr. Hastings, for a plan, by which the revenue arising from salt now produces a million sterling a year.

These papers having been read, Mr. Alderman Lushington read the four following motions :

Resolved, “ That this Court is highly sensible of the long,
 “ faithful, and important services of WARREN HASTINGS,
 “ Esq. heretofore repeatedly acknowledged by this Court
 “ and the Court of Directors.”

Resolved, “ That the charges made against WARREN HAST-
 “ INGS, Esq. having been founded upon the public acts
 “ of his government in Bengal, and he having been acquitted
 “ of all such charges, it is highly reasonable that the said
 “ WARREN HASTINGS, Esq. should be indemnified for
 “ the legal expences incurred by him in making his de-
 “ fence.”

Resolved,

Resolved, therefore, “ That this Court do recommend to the
 “ Court of Directors to apply to WARREN HASTINGS,
 “ Esq. for a statement of the said expences ; and that, after
 “ having ascertained the same, they do discharge the amount
 “ thereof.”

Resolved, “ That it is the opinion of this Court, that, in
 “ consideration of the long, faithful, and important services
 “ of WARREN HASTINGS, Esq. and to mark the grateful
 “ sense entertained by this Company of the extensive bene-
 “ fits which they have received from these services, a grant
 “ of an annuity of 5000*l.* from the time of his return ; to
 “ issue from the territorial revenue, during the term of the
 “ Company’s present exclusive trade, to WARREN HAST-
 “ INGS, Esq. his heirs, executors, administrators, and assigns,
 “ be prepared by the Court of Directors, and submitted to
 “ the Board of Commissioners for the affairs of India, for
 “ their approval and confirmation, pursuant to the act of
 “ Parliament.”

After this, Mr. Alderman Lushington delivered his first motion over the bar, and it was formally read to the Court.

Mr. T. CHISWELL said, the whole of the subject had been opened with so much clearness and ability, by his Hon. Friend who had read the several propositions he meant to offer, and moved the first of them, that it would be unnecessary for him, in seconding the motion, to do more than to offer a single observation ; which was, that although Mr. Hastings had been Governor General of India for so many years, and notwithstanding that from the peculiar exigencies of the public service, his government stood distin-
 guished

guished by a variety of measures, equally original, bold, and successful; notwithstanding also that the extraordinary manner and length of his trial, since his return from India, seemed as it were to hold out an encouragement to all who had any charge to make against him, to bring it forward, *not a single complaint* had ever been heard of, either from individuals abroad, or at home. On the contrary, in India, he was well known to be as universally popular, as he was entitled to be held meritorious at home, both by the Company and his country, for the very valuable services he had rendered to both, as well by having procured a considerable increase of the revenues derived from India, as by other acts of his government, which have produced consequences highly useful and important to the public interest.

Mr. JONES ADAIR rose and said, Sir, if ever there was a moment of national conjuncture, in which every part of the public ought to abstain from lavish expenditure, it is the present: if ever there was a crisis in which it became more eminently the duty of great public bodies anxiously to avoid giving the example of prodigality, it is that in which we stand.

But, Sir, there is no moment whatever, in which a public body ought to neglect its obligations; there is not any in which a company of English merchants will forget to pay their debts.—And in my conception, the propositions which the Honourable Mover has this day brought forward, establish a debt, not merely of honour, but of justice.

I shall not, I am sure, be asked in this Court, where the evidence of the debt exists?—If the question were possible, I should point it out in your records, which state at once, the long, faith-

ful, and important services of Mr. Hastings, and your repeated acknowledgments of them. I shall not here, I am persuaded, be reminded that Mr. Hastings was paid for them by his appointments.—If I could, I should meet the cold suggestion, by observing that *ordinary* services are simply *compensated*, but that great and *extraordinary* ones are rewarded. And that with an enlightened and liberal community, with whom gratitude is ever justice—and justice policy, the conferring this reward will always be considered among its first obligations.

I will not follow my Hon. Friend in the enumeration of the benefits derived by the Company and the nation from these services. I would not wish, by any weak efforts of mine, to diminish the impression of them upon the minds of this assembly. Such, however, is the impression upon my mind individually, that when I consider the perilous edge upon which your interests in India have stood—the arduous conjunctures, and formidable combination against them.—And, after all, the happy recovery of them, when your exhausted resources had no other supply than the inexhaustible mind of which we are speaking.—I am almost upon the point of saying, that we owe to this character, the very franchise by which we are discussing it.

Sir, the Hon. Mover makes a manly appeal to your justice—he does not strike the plaintive key, “ *Date obolum Belisario.*” Such notes must have grated upon the ear of this Court. For I assure myself, *it* is not in *this country* that it will fare with Mr. Hastings, as it did with a gallant spirit, of whom I have heard or read. The town was threatened by hostile attack—there was an important pass over a bridge—one of the citizens sallied from the
gates

gates with a hasty levy, which he had formed in the emergency—he seized the important post, and with his handfull of followers, maintained it against opposing numbers, and rescued the town from the impending danger. Tranquillity restored, a Council was called to consider of a remuneration equal to the faithful and important service, and in the result of their deliberations, the patriot citizen was rewarded with an exclusive patent, to him and his heirs for ever—to *beg on the bridge he had saved*. This *appropriate* remuneration is not, I believe, exactly that which awaits the late Governor General of India.

I have not, Sir, any personal knowledge of Mr. Hastings.—I am not his adulator, or his advocate. I know him only through the medium of his public character. I have not approached him so near, as that there should be induced upon my mind, any of those partialities which spring from social intercourse, or from those benefits and kindnesses which lead even good minds the willing captives of their influence. Exempt from any biases of this sort, I trust, that in the part I am taking, I consult, not more the personal advantage of Mr. Hastings, than the true interests of the Company.

I am the more free to speak my mind upon this subject, because my sentiments with respect to him have varied. My opinion of him has not been uniform. I acquired, in very early life, an interest in this Company, and I own, I was at that time captivated by the grandeur of his character. I afterwards thought I saw in him, irregularities which I had wished otherwise.—But still, Sir, they were the irregularities of a great mind, untinged by any base, sordid, and selfish motives.—And for what incurred?—for the interests of

the Company, and the country---and with the very aim which had been directed by his public instructions.*

But of those irregularities, even if it were in my temper and inclination to dilate, how could I speak here? I respect the government, and the law has prescribed me silence. At the bar of its highest, and most august tribunal, Mr. Hastings has been declared quit and free. The law of the country, beneficent as enlightened, covers him from the shafts of reproach, with its protective shield. His impeachment is done away—He is himself again—and the remuneration of his acknowledged services, in my poor conception, as duly and necessarily follows his acquittal, as a judgment of penalty would have done his conviction.

And what an *ordeal* has he passed? What character could sustain the keen search of the powers of imagination, wit, and judgment combined in the inquiry? Who, with undazzled eye, and unshaken frame, could meet the bright constellation of genius in the opposite quarter. It was for such an *accused*, to meet such *accusers*—And who more eminently qualified by his discriminative powers, to poise the scales of even-handed justice, than the elevated character who so long presided at the procedure?—With the consideration of a subject so deeply affecting the interests of humanity! with the contemplation

* “ That in all your deliberations and resolutions, you make the safety and prosperity of Bengal your chief object, and fix your attention on the security of the possessions and revenues of the Company.” See the Speech of the Hon. Mr. Erskine, in “ The Proceedings on the Trial of an Information, exhibited *ex officio*, by the King’s Attorney General, against John Stockdale, for a Libel on the House of Commons, tried in the Court of King’s Bench, Westminster, on Wednesday the 9th of December, 1789.” This enlightened and impassioned Address to the jury will amply compensate for the trouble of consulting this reference.

of such a scene! and filled too, by such characters! the mind expands—man feels a pride in his species.

Thus regulated in our public judgment, of a character so restored to our consideration, let it too be remembered with candour, in our private opinion of it, that we are reviewing a whole life. Is there then any instance, even among those characters whom history has recorded, and poetry has decorated, as the marks of human admiration, and as the examples of high desert.—Is there any one of them, who could endure so severely exact a scrutiny? Is there any one of them, who, in the lapses of error and infirmity, which form the lot of our common nature, has not deviated from the splendid tenor of his course?—Such characters we ought, perhaps, *morally* to estimate, as men of taste and feeling are taught *critically* to judge of the sublime and beautiful combinations of excelling art.*

The Hon. Mover has, Sir, with the liberality that belongs to him, fully stated the different propositions he means successively to offer to you; and following him (though certainly with unequal steps) I have not immediately confined myself to that which we are now upon, but have been induced to take a view of all of them. The first in order, which is at this moment offered to the vote, is

* Verum ubi plura nitent——non ego paucis,
Offendar maculis——
Quas humana parum cavit natura ——.

HOR. ART POET, p. 254. Francis.

But where more numerous beauties charm the sight,
Who would destroy the sense's pure delight?
To mark slight errors in the generous plan,
And shew the Author was at best—but man:

ANON.

properly

properly preliminary, and of inducement to the others, and professes simply to recognise the repeated acknowledgments of the services of Mr. Hastings, which appear upon your records. Of the second proposition, which has for its object an indemnity from the charges he has sustained in his trial, I have not so particularly spoken, because it seems to me virtually included in the remuneration proposed by the third, to which I have presumed principally to call your attention. It certainly would be preposterous to offer remuneration, unless he were previously placed in *statu quo*, in the situation in which he stood before the commencement of the trial, by the reimbursement of the expences with which his private fortune may have been charged. For this is merely *compensation*, and it is only from where this just measure completes itself, that *remuneration* can properly begin. In the spirit of our law, which *formally* considers his trial, as if it had never been, we ought to provide that he may not *substantially* feel that it has been.

The importance of the subject has engaged me farther than I intended—What, however, I wish to add will, I persuade myself, make some amends for my having trespassed upon your indulgence.

I remember, that on a late occasion, something in the way of objection and answer, was said in this court, between some gentlemen about party-motives. I am happy, Sir, that we are arrived this day at a question, in which the predilections of party will not mix themselves—there can, on this occasion, be but one party among us—the party of humanity, gratitude, justice. I can therefore venture to cite the sentiments of a character, who certainly has, in his day, not been undistinguished by party. He has, indeed, been generally supposed not merely to have oiled the springs, but with a bold and
masterly

masterly hand, to have guided the machine itself of opposition. That character views now its emotions, only from the retirement which he enjoys in literary leisure. It would be a pleasure to see how this cultivated and classical mind would express itself upon any occasion—I have fortunately, Sir, in my hand, a copy of a passage from his speech on the very subject of your vote—I hope I have not drawn so ill, as to make it necessary to subjoin the name of Mr. Alderman Wilkes to the sketch.

It was on a proud day for the City of London, when, in the reception of an illustrious guest, it displayed all that honourable Old English hospitality, which so well graces its festivities, that the Chamberlain was called upon, by his office, to pronounce a complimentary address to the Marquis Cornwallis. I take the freedom of naming him, because, though he is a member of this Court, he is probably not here. I wish, Sir, he was here, for as great minds naturally love one another, he would, I am sure, have received a very sincere pleasure from the Honourable Mover's statement of the services of his predecessor—of this address, I shall read a part which particularly relates to Mr. Hastings, but which, at the same time, tacitly conveys the highest compliment to the noble Marquis; as it implies the persuasion of the Speaker, that the character he was addressing, was of a stamp superior to the jealousy of thinking that the tribute personally offered to him, suffered any diminution from the just praise that was given to another. These are his words: “ My
 “ Lord, our great MILTON says, *Peace has her victories, no less*
 “ *renown'd than War*—They have been well earned in the civil ad-
 “ ministration of your Lordship. *The native inhabitants of India*
were,

“ *were*, at your Lordship’s* accession to power, *the happiest and*
 “ *best protected subjects in India*; and they continued to enjoy that
 “ protection in the fullest extent, under your happy auspices.
 “ The plan of a late Governor General, the Saviour of India, (Mr.
 “ HASTINGS) was examined with great care and attention, and
 “ adhered to with liberality. A better could not have been adopted.
 “ With wonderful ability, he struggled through a mass of difficul-
 “ ties of a different kind, brought on in a most critical and per-
 “ plexed situation of Indian affairs. He rose superior to the com-
 “ bined efforts of our enemies, and preserved to us the empire of
 “ the East, to be secured on the most permanent basis, and enlarged
 “ by Lord Cornwallis.”

Such, Sir, is the estimation of the services which are this day of-
 fered to your consideration—Less than what is proposed, I assure
 myself, we shall not do, more we cannot do—without affecting to
 be generous, we can only desire to be just. And though we may,
 indeed, unpresumptuously indulge a respectful, dutiful, and loyal
 wish, that a character thus restored to the affectionate gratitude of
 his employers, may not be undistinguished by that favor, which,
 in this generous nation, ever awaits pre-eminent services—more is
 not with us.

Sir, I have done—I give Mr. Hastings an independent vote, and
 I add to it, my wish that the suffrage of this court may cheer his
 still early evening, and that in the enjoyment of that society of per-
 sonal friends and connections which his character has formed around

* *Vide* Letter from Sir John Macpherson, 10th of August, 1786, referred to in
 “ The Proceedings in the Court of King’s Bench, &c.” 9th of December, 1789.

him, forgetting the part of his life which has been marked by diffidence, he may look back only to the bright meridian of his day.

After Mr. Jones Adair had sat down,

Lord KINNAIRD said, he should make no apology to the Court for presenting himself to their notice on the present occasion, as he was one of the nine gentlemen who had signed the letter which had called the present meeting, it was his duty to state some of the motives which had induced him to call for the sense of the Proprietors, on a matter which he conceived of great importance, inasmuch as the question now under their consideration involved in it principles of justice, of sound policy, and of momentous example. It was but fair that he should state to the Court the very singular predicament in which he stood respecting this business; in the first place, he could assure them, that he had not the honour of any personal acquaintance with Mr. Hastings; he had never had any connection with him whatever, nor had he either directly nor indirectly, ever received any favour whatsoever from him, or by his means. He had had the honour of sitting as one of his judges for some years, and as it was a very severe duty he was about to perform, he had endeavoured to fit himself for it, by detaching from his mind every bias that might mislead his judgment; though he had no difficulty in confessing, that this was not quite so easy a task, inasmuch as some of the gentlemen who were entrusted by the House of Commons to manage the prosecution, were those for whose general principles, political as well as moral, he had considerable veneration; and whose habits of thinking and acting in politics were congenial with his own; and the exercise of whose talents, he had never listened to *invitis auribus*. It was

not possible then, but some degree of prejudice against Mr. Hastings, must have existed, and his mind from the opinions which were at that time maintained, and by men to whom he then was, and is proud to avow himself still attached. Aware of the wonderful combination of talents which were called forth to make good the charges of the Commons, he endeavoured that his judgment should not be seduced, either by the general predilections of his usual habits of thinking, or by the brilliant display of eloquence, which amazed and delighted those who listened to it; and he made his mind up on the result of the evidence which was produced, and was applicable to the charges exhibited, in as far as they went, while he sat in Westminster Hall, and the result of all the industry and attention he was capable of giving to the subject, was a firm conviction that Mr. Hastings ought to be acquitted; and he most sincerely rejoiced to find that the opinion of his judges, had restored to the Company a meritorious servant, who had undergone a trial, which, thank God, had no parallel in the pages of history; a trial which had well-nigh endangered the very existence of the supreme judicial tribunal of this kingdom; for it is well known that circumstances respecting the nature of evidence, as well as the disgusting tediousness of the proceedings, had well-nigh banished from the minds of all men, every respect or favour, and that the proceedings in this cause, can ever be treated with respect, or the Court itself hereafter held in due veneration—must be attributed to the sagacious and penetrating mind of a noble and learned Lord, who lately held the first judicial office in this country—whose steady zeal to protect the dignity of the Court in which he sat, could only be equalled by the power of effecting it; for a more extraordinary display

display of a mind capable of discriminating amidst the mass of cumbersome matter in which this question was involved, all that was necessary or applicable to its elucidation, never was exhibited, and could only be surpassed by the astonishing facility with which that noble Lord discussed, selected, and made plain, to the simplest capacity, points which before appeared involved in impenetrable obscurity; and thereby did he enable every one of the noble Judges to give their verdict from a knowledge of the subject, agreeable to the conviction of their minds. How much then was due to that noble and learned Lord? and how honourable to the gentleman in question was such a testimony? In every point of view one is amazed that the conduct of Mr. Hastings for so many years, and in so many difficult and perilous moments, should not have furnished the zeal (he had almost said furious zeal) of one of the principal Managers of the impeachment, whose powers of wielding the pen must ever be looked up to with admiration, to fasten upon him one criminal act; more especially when one recollects that all the talents of ancient Greece, or all the acquisitions of Rome, in her most brilliant days, could not have furnished more powerful examples of fascinating eloquence, for the purpose of blackening and criminating the character of the gentleman in question; the commanding eloquence of *Pericles*, the impressive accuser of *Eschines*, the powerful oratory of *Demosthenes*, or the more persuasive talents of *Cicero*, had their imitators, and he might almost say their equals, exhibited on that stage; and notwithstanding all this, the character of Mr. Hastings hath passed through the ordeal trial of this fierce alembic, nor has one spot of criminal error been fixed on it. Who then, said his Lordship, can deny,

that the result of all this tedious and afflicting business has been highly honourable to him? If, then, the meritorious services of this gentleman, both in a pecuniary and political point of view, as detailed by the honourable mover of the question, are established beyond the possibility of a doubt, would it be fit that the justice, dignity, and good policy of the Company, should be violated in his case, merely because he had undergone a prosecution, (it may almost be called a persecution) for seven long years, and having established his innocence, now asks for that testimony of the Company's sense of his services, which would have been granted him when he first arrived from India, without a dissenting voice? If so, what mighty boon, said his Lordship, is now proposed, for to accommodate himself to the ideas of those who calculate nicely, the quantum, and not the policy of rewards for services? Let it be supposed that the annuity now moved for, had been granted to Mr. Hastings from the time he left India—the sum he would have received, adding to it a moderate progressive interest, would nearly reach that which is now required to be applied to discharge a debt, not incurred by any voluntary act of Mr. Hastings, but arising out of his peculiar situation, as the servant of the Company; and as it appears that no blame whatever has attached to him in that character, it is but bare justice that he should be supported by those, for whose service he has suffered.

God forbid that his reward should be the privilege to beg on the bridge which he has himself supported, and so amply decorated. The justice of this case, said his Lordship, is so apparent that there cannot be a dissenting voice. But, alas! the abridged powers of the Court never could be regretted more truly than at present,

present, for the motion, when agreed to here, can only be said to be in its progress to obtain a sanction elsewhere; let it then be sent with all that zeal and unanimity which may force concurrence, even from reluctant minds. A circumstance had been mentioned respecting the present of ten lacks of rupees, which Mr. Hastings added to the coffers of the Company, and which certainly the Company never would have possessed, but from the high esteem in which he was held, together with the opinion of a venerated relation of his Lordship. Now upon that subject, his Lordship said, he felt it his duty to confirm what had been stated, as arising out of his own personal knowledge; had that truly respectable character, said he, whose eloquence had been wont to delight, and arguments to convince this Court, been present that day, he would have been eager to have supported the cause of justice: for though it is well known his general line of India politics did not square with that of Mr. Hastings, he would have been guided alone by that principle of distributive justice, which dictated the sentiment that had been quoted, and which he would have moved the Court to confirm, by returning the present, which it now appears Mr. Hastings's services so truly merit—hitherto, no dissentient voice, said his Lordship, had appeared, and he hoped that none would appear; for to support the cause of justice, and to reward the services of one who has added so largely to the opulence of that great Company, must ever be the unanimous sentiment of a generous proprietary; and the business of the day would do honour to them, and their proceedings would prove the complete cure for all the sufferings of Mr. Hastings, and hold forth to posterity the best incentive to exertion on the part of their servants, by covering them

with,

with their protective wing. His Lordship apologized for detaining them so long, and concluded by saying, that although he could have wished some alteration in respect to the term for which the annuity was moved, yet he approved so much of the principle, that the different motions met his most hearty assent.

Mr. VANSITTART said, he rose merely to state that he had been intimately acquainted with Mr. Hastings for above thirty years, and could witness that every object of his heart, since he had been in the Company's service, had been to promote their interests in India, and exalt the British character in that quarter of the globe. That he had utterly disregarded those considerations of enriching himself, and making his own fortune, which he undoubtedly had in his power, and which it would have perhaps been more prudent to have attended to in a greater degree than he had done. Hence he did not come from India as rich as other men, with less opportunities, had returned home. That he had promoted the Company's interest most effectually was undeniable, as the increase of their dividend bore the most unequivocal proof of the fact. He merited, therefore, every consideration from the proprietary, who had profited in so eminent a degree by his services, and he trusted that the Company would manifest at once their generosity, and their justice, by preventing the consequences that must befall Mr. Hastings, if the heavy expences that had been incurred by his trial, on an impeachment for those measures and acts of his government, by which the revenues of the Company had been increased millions annually, were suffered to remain as debts due from Mr. Hastings, at the same time that they continued to share

and

and enjoy the profits of his able and wise conduct, when Governor General of India.

Mr. TOLFREY rose and said, after the ample and eloquent manner in which the merits of Mr. Hastings's government have been this day discussed, I certainly shall not intrude on the time of the Court, to express, at any length, my own sentiments on the subject. The object of my rising is to bring back to gentlemen's recollection, the terms of the motion now to be decided on, which perhaps may render any further discussion respecting it unnecessary. The motion now before the chair is merely to acknowledge our sense of Mr. Hastings's long, faithful, and important services—that is, to be consistent with ourselves, by confirming the resolution, which, if I mistake not, we unanimously came to soon after his return to this country. Whatever difference of opinion there may at present be (I trust ultimately there will be none) as to the indemnification or reward which Mr. Hastings may be entitled to. There has not appeared the slightest disposition to question the fact of his services, or to deny the extensive benefits which both the Company and the nation have derived from them. Surely, Sir, this is not the time to retract our former opinion of Mr. Hastings's conduct; when we have the satisfaction to find, that after the ordeal of an eight years trial, that it is sanctioned by the highest tribunal in this country. We shall not place ourselves in the capricious predicament of extolling Mr. Hastings before his acquittal, and denying him our approbation afterwards. We shall not hesitate to confirm our own resolution in his favour, when he has been honourably acquitted, after such a rigid investigation as no administration ever before underwent, and as few but that of
Mr.

Mr. Hastings could have withstood: after a coalition of the most eminent abilities this country can boast; after the exertion of such powers of eloquence against him, as innocence alone could sustain, and the pure and enlightened minds of his judges resist. A noble Lord, one of his judges, has just told us, describing its seductive influence, that the eloquence of Cicero was exerted against Mr. Hastings. Yes, Sir, the part of Cicero was indeed abundantly played, but no Verres could be found. Instead of provinces laid waste and depopulated, Mr. Hastings left a rich and populous country. Instead of a plundered and ruined, a protected and flourishing nation. Instead of curses and execrations, he received the blessings and prayers of those whom he had governed; who, when his government was at an end, when his influence had expired, when he stood before the bar of his country, loaded with imputed delinquencies, united in the effusions of their gratitude for the blessings they had enjoyed under his wise, just, and prosperous administration. The very people he stood accused with having oppressed, united as with one voice to deny the oppression, and to vindicate the supposed oppressor, transmitting across the globe their willing and unsought testimony of his great and eminent services; of those services, we are now called upon by every principle of consistency and justice to acknowledge; and by all the ties of gratitude to reverence.

Mr. KNOX said, he did not know Mr. Hastings, for he had never seen more of him than his back, under the disgraceful circumstances of a prisoner at the Lords' bar. He had, however, been in a situation, while Mr. Hastings was Governor General of India, which enabled him to have authentic information of the
state

state of our affairs in that country ; and he owed it to Mr. Hastings, he owed it to the Proprietors of East India Stock, and he owed it to himself, to state to the Court upon this occasion the opinion which not himself only, but the administration with which he had the honour to serve, then entertained of Mr. Hastings's conduct. Soon after the French entered into the war, as the allies of America, it was discovered that a treaty had been made between them and Hyder Ally, which had for its object, the expulsion of the English from Indostan ; and to this treaty every one of the country powers had acceded. There was then no money in the Company's treasury ; the troops were several months in arrear, and an order to them to take the field would have produced a general mutiny. Such was the condition of the Company's affairs when Mr. Hastings had advice of the arrival of a superior French fleet upon the coast of Coromandel ; and I well remember that every one who read the dispatches from India at that time declared the country was lost. It was under these circumstances, Mr. Hastings possessed himself of the Begum's treasures, with which he paid the army, and enabled it to take the field, and brought over the general of the Mahrattas, which dissolved the confederacy, and saved India to Great Britain. That action was made the ground of the heaviest charge against him. But it should seem that his accusers were themselves unconvinced of its enormity ; for when the mind is satisfied an unjust action has been perpetrated, its first motion is to make restitution to the injured ; the punishment of the offender is a secondary consideration. But while the vaulted roof of Westminster Hall was resounding with imprecating apostrophies, and the pavement below was strewed with " raw head and bloody

“ bone,” *Prosopopœia*, and every *figure* of rhetoric, was exhausted to draw down their Lordship’s heaviest judgment upon the head of the culprit : not a *unit* was taken from arithmetic to calculate the compensation that was to be made to the injured princesses ; although the prosecutors had the purse of the nation, and could draw the strings at pleasure.

As therefore he considered Mr. Hastings as not only unjustly accused, but to have rendered great and important services to the Company and the nation, Mr. Knox said, he should certainly give his support to his worthy friend’s proposition ; and he was very sure if all those ministers with whom he had served were now alive, and to come into that court, they would think the compensation proposed much inferior to Mr. Hastings’s deserts.

Mr. HEYWOOD declared he did not approve of the motion. He had nothing to say of the merits of Mr. Hastings, nor against him. He declared that he was an utter stranger to that gentleman ; he had not even the advantage of an honourable Proprietor who had spoken near him, some little time since (Mr. Knox ;) he had not even seen his back ; he spoke merely as an independent Proprietor, and could not reconcile himself to vote away so many thousand pounds in a morning, merely because some particular friends of Mr. Hastings came there and spoke highly in his favour. He did not pretend to decide upon that gentleman’s merits or demerits, but he knew that the public were heartily sick of the discussion, and that great differences of opinion had been, and still were entertained by great, wise, and able men, upon the subject of his conduct. Admitting, however, that Mr. Hastings had done all that was imputed to him, when Governor General of India, the
 most

most that could be said was, that he had done his duty as a servant of the Company, and he presumed other servants had also done their duty ; he did not see any ground of extraordinary claim arising from that circumstance. It had been intimated that Mr. Hastings was poor. If so, he was himself to blame for his want of prudence. The appointments and power of Governor General of India, for so many years as Mr. Hastings had held them, he conceived, might well have enabled him to acquire a fortune sufficient to allow him to live not only with comfort, but with a degree of affluence equal to his situation in life ; and therefore, if he had neglected his opportunities, that was his own fault, and not the fault of the Company. With regard to his trial, Gentlemen ought to recollect that Mr. Hastings had been impeached by the Commons of England, on behalf of the country ; having, therefore, been acquitted, the country ought to discharge his expences, and not the Company, who had not accused him, or put him on his trial. At any rate, Parliament ought to have been applied to in the first instance, and if the application had been rejected there, it would then have been time enough to have appealed to the generosity of the Proprietors of East India Stock. But, besides this, there seemed another point, Mr. Heywood said, which appeared to him to call for consideration and decision, as a preliminary, before they discussed the merits of the question itself. He wished to have information from the proper legal authority, whether that Court had a *right*, under the last Act of Parliament, (33 Geo. III. cap. 3.) to vote or give 70,000*l.* to the discharge of Mr. Hastings's debts, or on any other account whatever. He understood that the whole of the revenues of the Company was specially appropriated by that act, and therefore he

was inclined to doubt the *right* of the Court to render the motion effectual, if it were voted. But even if they had the right, he thought they ought not to exercise it till after the House of Commons had been applied to on the subject, without effect.

Mr. GRANT (a Director) said, that having the misfortune to differ in opinion from most of the gentlemen who had delivered their sentiments on the subject, and thinking with the learned gentleman who had just sat down, that if the expences incurred by Mr. Hastings were to be discharged, the nation, on whose behalf he had been impeached, ought to pay them, and not the Company; he could not, therefore, agree to the propositions brought forward. Mr. Grant said, he had thought it necessary to state this, in consequence of the opinion he had formed for himself on the subject, and that he had no motive whatever for the declaration he had made, but the impression and conviction of his own mind. He acted not in concert with any one gentleman, neither had he any knowledge of the opinions of others who had not yet delivered their sentiments, but thinking as he did, without the smallest consideration of a personal nature, he should not vote on any of the propositions.

Mr. TRENCH CHISWELL rose to explain. He said he had it in his power to give the Court some information relative to one part of the learned gentleman's speech, viz. that Parliament ought to have been applied to, in the first instance, for the discharge of the law expences attendant on the trial of Mr. Hastings. Mr. Chiswell said, he had himself been one of two gentlemen to wait on the Minister, to consult with him for the very purpose of presenting a petition to the House of Commons to that effect, as gentlemen would recollect that, according to the forms of the House,

no petition for money can be entertained by the House unless his Majesty's chancellor of the exchequer rises and signifies his Majesty's consent to that petition being received. That the minister had declared to him, and the other gentlemen with him, that he could not advise his Majesty to give his consent : the friends of Mr. Hastings were therefore compelled to make the application to the Company.

Mr. JACKSON said, he found himself much relieved from the embarrassment, which he should otherwise have felt upon the present occasion, by the manly conduct of his honourable and learned friend (Mr. Heywood) who had had the fortitude to face the torrent of eloquence and opinion which had borne down upon the Court, and boldly say, what he felt and thought as an independent Proprietor ; such, Mr. Jackson said, was the example which he should attempt to follow ; he felt, indeed, much concern at being obliged to differ upon such an occasion, not only from his honourable friend (Mr. Lushington) who had opened the question with so much candour and ability, but with many other very respectable persons, who had been new to their debates, and apparently indifferent to their proceedings, till that, and the preceding General Court. It was some consolation to him, however, to think, that upon a great part of what had been proposed his objections would principally be confined to the form of proceeding, which his honourable friend might perhaps see the wisdom of accommodating to the general practice of that Court.

All the honourable Gentlemen who had gone before him, had discovered great solicitude to convince the Court, that they had no kind of personal connection with Mr. Hastings. There were few persons

persons more at liberty than himself, to make a similar declaration ; he could well say with a noble and learned Lord, that he only knew Mr. Hastings as he knew Alexander the Great, by having read of the fame of his actions. As to the private character of Mr. Hastings, he collected it through a medium the most honourable to that gentleman, namely, the excellent character of those friends, who for so many years had shewn towards him a degree of attachment that seems to increase with his sufferings, and rise with the necessity which called for their support ; with many of those he had the pleasure of an intimate acquaintance ; he knew them to be men that could not cherish or adhere to any person whom they thought deficient in honour, or general worth.

Mr. Jackson desired to be understood as professedly and expressly refraining from any discussion of the merits of Mr. Hastings, the Court would see by the motion with which he should have the honour to conclude, that he thought the fit time for such a discussion would be on receiving the report from the Directors ; should it then be thought necessary, he would endeavour to discharge his duty. He was one that thought Mr. Hastings not free from error, but he thought also, that he had performed great and splendid services ; and as the Company had deemed it proper to pocket the fruits of them, he conceived they were bound in honour to discharge towards Mr. Hastings, what had been called by the learned Gentleman (Mr. Adair) as liberally as justly, a debt of gratitude.

The objection which Mr. Jackson said he felt to the present form of proceeding was, that it began at the wrong end. The constitution of the Company required, it was true, the concurrence of both Courts to operate any grant of money but the practice had
been

been either to receive propositions of that nature from the Directors, by way of recommendation, or else to refer the matter from that Court to their consideration. If that precedent were broken in upon, he thought it might lead to the most dangerous consequences. The Directors were a responsible body, the Proprietors were not. The Directors had means of inquiry, which the Proprietors did not possess; with the Directors, every such resolution as those now proposed, would be the result of great thought and deliberation; with the Proprietors, it was frequently from the warm impulse of the moment, that ill brooked those necessary guards, which the law had placed upon their funds. Neither could he help thinking, Mr. Jackson said, but that it was treating their Directors lightly, thus to call upon them to pay very considerable sums of money, without even asking their opinion of the propriety of the measure, or if they possessed the means for carrying it into execution.

The Court would recollect, that in the case of the Marquis Cornwallis, it was not only in deliberation, but in terms, the joint act of the Court of Directors, and the Court of Proprietors. He had had the honour to second and support the proposition respecting the noble Marquis, and remembered to have been anxious that it should be done in such a way, as to be consistent with that principle which he now contended for, namely, that the Directors were the constitutional guardians of the public purse of the Company.

Mr. Jackson said, that though he wished the whole to be referred to the consideration of the Directors, in the first instance, yet as perhaps a majority of gentlemen had come down to support certain resolutions, and a manner of proceeding previously agreed to, he would briefly state his ideas as to the remuneration which
had

had been proposed for Mr. Hastings, namely, a *pension*, and an *indemnification* for his law expences. He thought them, in every point of view, extremely distinct. The pension he wished to see bestowed upon Mr. Hastings, for the reasons he had stated, because he had rendered considerable services to the Company; and though he had not increased their revenue to the extent described by the honourable Gentleman who opened the debate, and who had omitted to notice the India debt, which had arisen during the administration of Mr. Hastings, and must of course be deducted from the revenue of the territories acquired, as well as a little confounded public and *private* acts, yet it seemed generally to be admitted, that Mr. Hastings had laid the foundation of that solid government, which had now taken place, and which had given a stability and consistency to our Eastern territories, scarce known to any other colonial possessions whatever. And even admitting these territories to have been acquired by means not the most regular, and not warranted by the orders of the Company, still the Company, he thought, had estopped themselves from the right of making such objections, by having constantly, and exultingly taken among their assets, the rental of those acquisitions. They were bound, therefore, by every tie of gratitude and honour, to provide comfort for the latter day of him, whose service had been to them a source of riches, as far as was consistent with propriety, with the law, and with the state of their finances. He thought the Gentlemen who brought forward the business, had shewn great good sense, and Mr. Hastings an honourable degree of candour, by the explicit statement of his property, which had been delivered. An idea had certainly gone abroad, that though Mr. Hastings might be poor, Mrs. Hastings was rich. So perfect and implicit,

implicit, Mr. Jackson said, was his confidence in every declaration which fell from his honourable friend (Mr. Lushington) that from that moment, he should entertain no doubt upon the subject. With regard, however, to the manner of the pension, he thought his honourable friend had fallen into a considerable inaccuracy, when he proposed it to be a *retrospective* pension. What was a retrospective pension, but a *gift* of so much as was retrospective? And did the act warrant either the Company, or the commissioners for the affairs of India, to break in upon the settled appropriations, by gifts, or grants of sums of money?

As to the indemnification, Mr. Jackson said, he thought it an extremely different question from the remuneration by way of pension; the indemnification, if listened to at all, must be considered as an act of munificence; it ought never to have been treated as obligatory upon the Company in equity or in law. Upon this part of the subject, he agreed entirely with his honourable and learned friend, (Mr. Heywood) that the indemnification should proceed from the public purse. He admitted that Mr. Hastings was an injured man, but it was the State, not the East India Company, which had injured him; and even the State had not injured, but by accusing him. God forbid that impediments should be thrown in the way of, or odium cast upon the accusation of public characters; the safety of the people depended upon the facility of proceeding against them. But the State had no right to keep Mr. Hastings seven years upon a trial, which ought to have been finished in as many months, perhaps in as many weeks. It was a gross and scandalous violation of the fundamental maxims of the law and the constitution, and one of the dearest inherent rights, with which

and to which every Briton was born, namely, the speedy administration of justice. It was in vain that some men were eternally pronouncing warm eulogiums upon liberty, or glowing panegyrics upon the constitution, while so flagrant an instance as a seven years trial, at an expence of 70,000*l.* stained the page of their history. Every discriminating foreigner would laugh them to scorn, and ask, is this your liberty! and is such your constitution? Let Mr. Hastings, then, first apply to his country, to which, with so much justice, he might prefer his claim. If he missed of indemnification, his country would lose its character; and if such should be the case, and Mr. Hastings meet with a refusal, he would not deny but that if he came back to that Court, as to his old friends and employers, and candidly told them, that without their further kindness, he must sink, he (Mr. Jackson) should feel as anxious as any man, to administer to him every consolation which great minds are susceptible of, as far as was consistent with the circumstances of the Company.

Mr. Jackson then noticed, how much the honour of the General Court was concerned, in abstaining from a resolution which could have no legal effect. He reminded them how successfully the argument of hasty and tumultuary resolutions, and their contravening both the government and their Directors, had been used, when an attempt was made, under Mr. Fox's bill, to annihilate General Courts altogether, though notwithstanding some instances of abuse, they had proved the wisest check that could have been contrived, and did, upon that very occasion, save the Company. If it were possible that there should be any persons then present, brooding over an abridgment of their privileges, or foolishly thinking that

Commissioners

Commissioners or Directors were exalted by bringing General Courts into contempt, instead of perceiving that the weight of the one constituted the dignity of the other, neither of which had ever stood higher than at that moment, such persons might indeed anticipate triumph from the proceedings of that day, for he would venture to prophecy that some of the resolutions, if carried, would never travel beyond that Court, but being null in themselves, would only remain upon their journals, at once a proof of their impotency and precipitation.

Under these impressions, Mr. Jackson said, and from his great anxiety to prevent a precedent which might at some future time be fatally perverted, he should move, by way of amendment to the second resolution, ———

Mr. Jackson was interrupted by its being observed by several gentlemen, that the second resolution was not yet before the Court, and as there appeared to be no difference of opinion about the first, that which went to a general acknowledgment of the important services of Mr. Hastings, it was submitted to the Court, whether it would not be better to put the question upon that, before they proceeded to discuss the merits of the second?

This being agreed to, the first motion was voted unanimously.

Mr. Alderman LUSHINGTON then rose to move the second, which was as follows :

“ That the charges made against Warren Hastings, Esq. having
 “ been founded upon the public acts of his government in Bengal,
 “ and he having been acquitted of all such charges, it is highly
 “ reasonable that the said Warren Hastings, Esq. should be indem-

“ nified for the legal expences incurred by him, in making his defence.” Which was handed to the Chair, and read in form.

Mr. JACKSON then rose again, and moved by way of amendment to the second resolution, that after the word “ Resolved,” the whole of the words of that resolution should be left out, and the following inserted in their stead, viz. “ That it be recommended to the Court of Directors to take into their consideration the services and situation of Warren Hastings, Esq. late Governor General of Bengal ; and to report their opinion to this Court, in what mode, and to what extent, it may be expedient for the proprietors to grant a pecuniary compensation for the same.”

This amendment being seconded by Mr. Bryan Troughton,

Major SCOTT rose after Mr. Jackson, and said, that nothing would have induced him to have offered himself to the attention of the court on the present day, but the circumstance of his being well informed of some facts, which, perhaps, were not so accurately known by other Gentlemen, and which it was very important to state on this occasion. It seemed to be the *unanimous opinion of the court*, that the expences incurred by Mr. Hastings in the course of his trial ought to be paid some how or other, but the learned Gentleman who spoke last, and another learned Gentleman who preceded him, had both declared that it was unfair and unjust to make such a demand upon the Company, until Mr. Hastings had first tried the House of Commons, who, in justice, ought to pay the expences. Major Scott said, that those Gentlemen spoke the sentiments of Mr. Hastings most exactly, and in his own words. In every discussion upon this subject amongst his friends, as often as it was mentioned, that, in return for the great benefits which the Company had received

ceived from his administration, there could be no doubt of their indemnifying him for his expences, and rewarding him for his services, Mr. Hastings replied, that he trusted to the Company for such a remuneration as they might think him, under all the circumstances of the case, entitled to for his services ; but with respect to his expences, he conceived that he had not the slightest claim upon the Company, until he had tried the House of Commons, because Gentlemen of all parties in that House had recognized the justice of his claim to indemnification at various stages of the trial, in the event of his acquittal. Major Scott said, that notwithstanding this had been the language of Gentlemen in the House, while the trial was pending, yet there was hardly one member to whom Mr. Hastings applied, that did not strongly dissuade him from trying the House of Commons, assuring him at the same time, that he had not the most distant chance of success. Mr. Hastings, however, who was not deterred from doing what he conceived to be right, even by the almost unanimous dissent of his private friends in the House of Commons, wrote a petition, couched in the most moderate language, in which he set forth, that he had been thirteen years Governor, or Governor General of Bengal, in times of great difficulty and danger : that he had formed a system for the internal government of Bengal, in the first period of his administration, had repelled the attacks of our foreign enemies in the second period, and finally had left it, and its resources, considerably augmented, and in a state of prosperity : that to his misfortune, however, the late House of Commons thought differently of his conduct, and in the end he was impeached ; twenty articles were preferred against him, which included every important act of his government for the space of thirteen years ; civil, military, political,

political, and financial : that to defend himself against such a variety of charges, a very great expence was necessarily incurred, for though it was true, that the House ultimately rested the cause upon four points, yet he was uninformed of this intention, until the fourth year of his trial. That the total legal expence of the trial, exceeded seventy thousand pounds, of which more than sixty thousand pounds were still unpaid. That as he had been fully acquitted of all the charges, and as he was convinced it was not the intention of the House, that had impeached him, to ruin him by the necessary expences in making his defence, even if he had been guilty ; still less, could it be the intention of the present House, to leave him involved in utter ruin, after so complete an acquittal. He, therefore, humbly presumed to lay his unprecedented case before the House, praying for such relief, as in their justice and wisdom they might think him entitled to. Major Scott said, that he had not a copy of the petition, in his pocket, but he believed he had with tolerable accuracy detailed its most material contents to the Court. His honourable friend (Mr. Chifwell) had already stated that the petition was submitted to the minister, and unless Mr. Pitt signified his Majesty's consent to its being presented, the petition, consistently with the forms of the House, could not be presented at all. Mr. Pitt, as the Court already knew, had said, that he could not, with propriety, advise his Majesty to allow him to signify such assent. What then could Mr. Hastings do? The door of the House was barred against him. He was not a member himself, and as the sentiments of the opposition were also pretty well known to be hostile to the petition, what individual member would hazard a motion with an absolute certainty of its being negatived? Every member would

act upon his own feelings, but Mr. Hastings was left without a choice. The language of many members had certainly been, that the Company had benefited by all those acts of Mr. Hastings, which the last House of Commons had condemned; consequently the Company was the proper body to apply to. The minister stopped the direct mode of application, for reasons which doubtless would fully justify him for acting as he had done. Mr. Hastings, therefore, had no resource left, but an application to that body, in whose service he had been for so many years, and who had so repeatedly admitted the value and importance of his service.—Major Scott said, that after the forcible and eloquent speech of the honourable Gentleman who opened the business, it would, indeed, be superfluous to add a single word, unless as it applied to the observations of those Gentlemen, members of the House of Commons, who conceived that the Company, and not the nation, ought to pay the law expenses. In truth, the Major said, the East-India Company had been tried, for seven years, in the person of Mr. Hastings; perhaps he might carry it still higher, he might say, that in the person of Mr. Hastings, the British nation had thought proper to inquire whether it could, with any regard to character, honour, or morals, continue to enjoy the immense advantage, which she annually drew from India, and of which the King's ministers annually and loudly boasted. The result of the measures of Mr. Hastings certainly was this, that above two millions sterling were added to the annual resources of the Bengal government; that is, when Mr. Hastings came to the government of Bengal, the total annual resources were three millions one hundred and thirty-two thousand pounds; when he quitted them, they were five millions two hundred and eighteen thousand

thousand pounds; and by the continued operation of the system established by Mr. Hastings, they were increased to five millions and a half. The Major then desired the Court to consider for one moment—for what had Mr. Hastings been impeached? It was hardly necessary to tell them, that he was impeached for all that system of foreign and domestic policy, which considerably extended their empire, preserved it from foreign enemies, and which added two millions a year to the resources of the East-India Company. But they were not merely to consider the justice of paying expences incurred in defending the propriety of measures by which *they* had so highly benefitted; they were also to consider that in the event of the condemnation of Mr. Hastings, the Company must have been utterly, and irretrievably ruined.—He would not take the large ground on which the impeachment originally rested, but confine himself to the three points on which evidence was given, that jointly affected Mr. Hastings and the East-India Company—these were Benares, the Begum, and the presents. In the charge of Benares, Mr. Hastings was accused of unjustly expelling Cheyt Sing, and criminally extorting an additional rent of two hundred thousand pounds a year from the present Rajah. That additional rent has been paid ever since 1781; consequently with the interest, the expulsion of Cheyt Sing has brought above five millions into the public treasury. The Begum's money, with interest, is one million eight hundred thousand pounds; and the presents received by Mr. Hastings for the Company, with the interest upon them, would now be nine hundred thousand pounds. A total of eight millions, besides a diminution of 200,000*l.* a year from the future rent of Benares.

Major

Major Scott said, that upon no principle of justice, honour, or common sense, could Mr. Hastings have been found guilty, and the Company left to enjoy the fruits of rapine, oppression, and plunder. Indeed if there were any Gentlemen in the Court, as he had no doubt there were, who were in Westminster Hall the last day of Mr. Sheridan's speech, they must recollect, that that Gentleman, in the most distinct and unqualified terms declared, that the prosecution of Mr. Hastings was undertaken for the express purpose of *doing justice to India*. To punish the oppressor was certainly an object, said Mr. Sheridan, but trifling indeed, when compared to the more important one of *redressing the wrongs of the oppressed*. He admitted it to be true, that many millions had been acquired by the acts of Mr. Hastings. But the Lords, as judges, were not to look to any consequences that might result from his condemnation. Cheyt Sing, if Mr. Hastings were found guilty, must be sought out, whether he were in a Mahratta camp, or with Tippoo Sultan. He must be restored precisely as he stood in 1781; and the interest of the additional rents received must be repaid to him. The Begum must also have her money back, with interest. The presents must likewise be restored to those from whom they were received. All this must be done by the Company, if its funds would answer for so many millions! if not, by the House of Commons, æconomical as they were. To suppose that the nation would punish Mr. Hastings for being an oppressor, yet meanly enjoy the fruits of his oppressions, was most basely to libel her. Such, the Major said, was the concluding speech of Mr. Sheridan, when representing, in Westminster Hall, all the people of England. Shall it then be said, that Mr. Hastings only was tried? Impossible! His acquittal is a

matter of infinite moment to the East-India Company, in a pecuniary point of view ; but, said the Major, it is of infinite moment indeed, in a point of much greater consequence—it has preserved pure and unfulled the honour of the Company, and of the British nation. It has cleared both from those vile and detestable calumnies which have been circulated against the Company, and against the nation as connected with this Company, for so many years. The world will now believe that solemn truth, so often asserted by the King's India minister, and by every man possessing any knowledge of the subject—That the government of Great Britain has been a blessing, and not a curse, to the millions under its rule. That our subjects are the happiest and best protected people in India. That Bengal has been in a progressive state of improvement from the first period of Mr. Hastings's administration to the present day. By the acquittal of Mr. Hastings, the justice, as well as the wisdom of those measures, are fully established, by which sums were received, amounting, with interest, to above thirty-four millions sterling, and additional revenues actually created, exceeding two millions sterling a year ; and we may now be said to hold securely, what, prior to the acquittal of Mr. Hastings, we held by a very precarious tenure. In this point of view, and so it must be considered, his acquittal is a most important subject for triumph, both to the Company and to the nation, after having done so much for both ; leaving India, as Mr. Hastings did, after a thirteen years administration, with its revenues so greatly improved ; preserving it, as he did, in the last general war against the most powerful combination ever formed for the destruction of a single state ; beloved, respected, and regretted as he was when he left India, and retaining to this moment,

moment, as he has done, all the affections and esteem of the people whom he governed so long, and the general regard of his countrymen who have served in India; after having gone through an ordeal of seven years, will this Company, adopting the sentiments of two learned Gentlemen, say to Mr. Hastings, we think you have been a most profitable and able servant to us, we always thought so, you ought to be paid your expences, you ought to be rewarded; but we did not prosecute you, it was the House of Commons, it was the British nation—let them pay as they ought to do? Mr. Chairman, this Company will not hold such language. They know that Mr. Hastings thought, as the learned Gentleman does, that in equity he had a fair claim upon the House of Commons; but he had no power to enforce his claim. Could he compel those who thought differently as to the justice of his claim, to change their opinions? No—he could not.—He had no means of bringing his case even before the House of Commons; for no individual member, knowing the sentiments both of the minister and of the opposition, would be very fond of moving the question. Was he then between two stools to fall to the ground? Impossible! Mr. Chairman, I have the fullest confidence both in the justice and the generosity of the Court, to a servant whom they have repeatedly thanked for his exertions, and to whom the Court of Directors, after all his acts were before them, returned unanimous thanks for long, faithful, and able services.

Mr. JACKSON begun his reply, by observing that the honourable Gentleman (Major Scott) had undesignedly, he was sure, but palpably, misrepresented his argument; he had charged him with an intention to put Mr. Hastings betwixt two stools, by sending

him from that Court to the House of Commons, where it was now certain he would obtain no redress. Mr. Jackson appealed to the recollection of the Court, if he had not expressly said, that if the House of Commons should be so lost to decency and justice, as to refuse indemnification to a person who had been kept seven years upon his trial at the suit of the country, then would be the time for Mr. Hastings to come to that Court, and throw himself into the arms of his friends, and fairly state his sufferings and his situation. Did the honourable Major fear that the Court would grow cool in a few weeks? Was it likely that the Proprietors, who on that day had shewn so much sensibility and warmth of affection towards Mr. Hastings; who had not suffered a space of eight or ten years residence in this country to deaden a single impression of services performed even several years before his return; but, on the contrary, had shewn themselves as much alive to their merit, as if Mr. Hastings had landed but yesterday to give an account of them? Was it consistent, he desired to ask, to suppose that the same persons would say to Mr. Hastings when he came back to them unsuccessful from the House of Commons, oh! no! you should have taken us while we were warm—you should have insisted while we were in the humour; that period is now passed, and we will have nothing to do with your indemnification? Sure he was, that no feature of the character of that Court justified such a supposition.

Mr. Jackson said, he could not hear, without extreme concern, Gentlemen who were, or had been members of the British legislature, speak of the answer of the minister, as the resolution of the state; much as he respected his talents and his virtues, he thanked God, that the minister of the country was *not yet* the Parliament of the Country.

Country, though such must be the honourable Major's conclusion, when he said the doors of Parliament were shut ; such a declaration he thought did not become either the character of the legislature, or the dignity of Mr. Hastings's claim upon it. The honourable Gentleman must know, that though no petition of a pecuniary nature could be lain upon the table of the House without a message from the Crown, yet it might be introduced, its merits might be opened and discussed so as to bring the subject before the country without that form. But a much more direct and manly way presented itself, the means were within three square feet of where the honourable Major was seated ; he was surrounded by members of Parliament who had that day made most eloquent and passionate appeals to the *justice* of the Court ; he thought that they not only owed it to that sacred principle but to Mr. Hastings's honour, to move an address to the Crown to take his sufferings into its consideration ; if they had not the courage or the inclination to perform this act of friendship, he must be compelled to suspect the extent of that attachment which they had so loudly boasted. It was not enough to say, that they should not succeed ; he thought they would ; for though the minister might feel it impossible to consent to the application, he might refrain from opposing it ; at all events, those honourable members would have discharged their duty to Mr. Hastings and to their country. If the Commons of Great Britain thought proper to subscribe their own shame, to place upon their records, and to chronicle to posterity, that a British subject had been seven years upon his trial, and acquitted without concession or reparation from the people, his accusers, then he was persuaded, that not only would Mr. Hastings experience the kindness and munificence of that Court, but every
generous

generous heart throughout the country would sympathize with him, lighten his sorrows, and even decorate and dignify misfortune, by bringing to it the tribute of universal affection.

Mr. Jackson thought it idle to say, that the pride of the House would not suffer them to cherish the application: he thought more worthily of the representatives of the country; he had before expressly stated, that he found no fault with the accusation; men of the most honourable minds, and of the nicest sensibility, daily accused, in instances where the party was acquitted; and if it once obtained as a conclusion, that the acquittal of the party accused reflected disgrace upon the accusers, the whole system of jurisprudence would be shaken to its center; but sure he was, that the same elevation of sentiment, which made careful and feeling accusers, would lead them to commiserate and repair any injury, which had arisen out of a departure from the ordinary course of justice, to the person whom they had failed to convict. He trusted, therefore, that the honourable members to whom he had alluded, would not measure principle by the probability of its success; he hoped that justice was not of so mutable a nature, as to be one thing in St. Stephen's chapel, and another in Leadenhall-street; that moral obligation was to be considered as binding at one end of the town, and perfectly loose at the other; this was a system of ethics to which he could not subscribe, and which, for the honour of human nature, he hoped would never be set up. Mr. Jackson said, that he was not only convinced that the call for indemnity was not in point of justice upon that Company, but the pressing it upon them at that moment was beset with dangers which he could not but deprecate.

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He must persist in calling this motion an insult to the House of Commons. Thus, upon the instant of acquittal, without ceremony, without preface, or public communication with ministers, through the medium of their Directors, to resolve to indemnify the person, whom the House in its wisdom had thought proper to accuse, seemed to him the height of rashness.

That Company was said to live but on the breath of Parliament ; why then wantonly risk its displeasure, when the same end might be accomplished in a way more respectful ? He had been told that certain members of Parliament should say, that it was the affair of the Company, which had derived the profits from Mr. Hastings, to indemnify him. If Parliament would fairly say so, there was an end of their difficulties ; all objections as to the want of concurrence on the part of the Directors, the danger of the precedent, or the illegality of the measure, would vanish before the will of Parliament ; but at present those objections remained in full force. He had ever held the rights of the Directors as sacred as his own ; he had indeed opposed their granting money without the consent of the Proprietors, but never had it entered into his contemplation, that the Proprietors should vote away money without the concurrence of the Directors ; this would be a privilege of a most dangerous nature, and he dreaded the precedent which the resolution in question was about to establish. An expression which had fallen from the honorable Baronet in the chair seemed to convey, that the Directors wished to decline taking any share in the question, but would receive the commands of the Court. He must take leave to say, that this was no answer for him. If the question was unfit for the Directors to discuss, it was unfit for the Proprietors to consent to ;

if it were fit for the Proprietors to consent to, it was such a one as the Directors were bound in duty to discuss; they were in responsible situations; they were bound to know from the history of the Company the merits of Mr. Hastings, and, from their knowledge of its funds, their capacity for remuneration; they were also bound to inquire into the legality of such a measure; all which shewed how much more correct a method of proceeding it would have been to have referred the whole matter to the Directors in the first instance. He must say, he should have thought it more for the honour of Mr. Hastings so to have done.—In the case of the Marquis Cornwallis it was the joint resolution of the Court of Directors and Proprietors.

Mr. Jackson said, he understood Mr. Hastings to be a man who preferred his fame to his fortune, or his life; and that he was peculiarly anxious for the good opinion of posterity. If posterity should consult the records of the Company, and find the measure in question, not the offspring of government, nor the offspring of the Court of Directors, but originating with a band of his own friends, who, mutually honourable as might be their mutual attachment, still appeared there that day as his avowed friends and advocates; might not posterity be led a little to suspect the purity of their motives, as well as the high character of Mr. Hastings? But this, he said, was mere prudential reasoning; a greater objection remained, it was *absolutely illegal*; he had had no difficulty in declaring it as his opinion, that not even the Commissioners for the affairs of India could sanction the measure. Parliament had appropriated every shilling of their revenue, and nothing short of an act of Parliament could take the sum proposed out of the rules of that appropriation.

propriation. After the discharge of certain obligations, and their other *outgoings*, charges, and expences, they were bound to pay to government five hundred thousand pounds per annum, if so much remained.

Mr. Jackson said he had, perhaps, been a fastidious debtor to government; he had opposed their having more money, or having it sooner than the act warranted; but, he hoped, he was a just debtor to government, and he would maintain, that they were entitled to the next guinea, after the discharge of the obligations alluded to. He should think himself a most shallow casuist, if he were to rank a case which had never happened before, and which even among impeachments was anomalous, under the head of ordinary *outgoings*; much as he was known to respect the opinion of his worthy and learned friend, (Mr. Rous) upon this occasion, he felt anxious for further advice; he thought the opinion which Mr. Serjeant Adair had lately given upon the question, of raising three regiments for the service of government, was exactly in point, and as conclusive as it was correct.—But his honourable friend (Mr. Lushington) had endeavoured to establish its legality, upon the implied compact for indemnification between the employer and the employed. Mr. Jackson said he had not, when on his legs before, met that part of his honourable friend's argument, not thinking his cases analagous, and feeling but little disposed to treat Mr. Hastings as a revenue officer, or as a common servant; but he would now endeavour to point out the difference between the cases cited and that of Mr. Hastings.

When the Company had thought proper to reimburse Governor Verelst a few thousand pounds, which he had been cast in as

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damages, the prosecutor was an individual, and the Governor had conducted himself in the ordinary course of his government. Here the people of England were the prosecutors, and the charges were certainly not of an ordinary nature. The case of Mr. Wilkes he thought still wider from that before them; Mr. Wilkes obtained his damages against an officer of the crown, who had misconducted himself in the course of legal process; in what way had the East India Company misconducted themselves towards Mr. Hastings? The case of master and servant, though undoubtedly the nearest, did not reach the present case; he humbly apprehended the nature of their implied compact to be this: if the servant arrived at harm in carrying into execution the specific directions of his master, the master was bound to indemnify him; or, if acting according to the best of his discretion, within his general authority, the obligation still held; but if a servant sustained injury from having transcended all authority vested in him, either general or specific, surely it would not be contended that his master was bound to bear him harmless to any extent, yet such was the known and avowed situation of Mr. Hastings; his friends had on that day and on other occasions, rested both the merits and defence of Mr. Hastings, upon his having boldly usurped an authority, in order, as they contended, to save the empire of India. Mr. Jackson said, he had purposely abstained from entering upon his merits or demerits; but surely this was enough to take the case out of the ordinary rule of master and servant. The greatest men in the country had seen Mr. Hastings's merits in different points of view; one noble and learned Lord, of most illustrious talents, saw him all perfection; another noble and learned Lord, with faculties not less splendid, and a

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mind not less susceptible of the kindest impressions, saw much to admire, and much to blame, in thirteen years of critical administration.

Mr. Jackson owned himself to incline to this latter opinion ; the minister for India had thought so many years back, and moved and carried his recal in the House of Commons. The Directors confirmed that recal, though they were afterwards over-ruled by the General Court. The present Chancellor of the Exchequer had expressly delivered that opinion, when he voted for the impeachment, and the House had solemnly determined there was ground for that impeachment, not for obeying the criminal orders of criminal masters, but for the crime of exceeding and departing from his regular instructions. He must therefore declare, though he knew it would be offensive to many that heard him, that, in point of law and strict justice, Mr. Hastings had no claim upon the Company for *his indemnification* ; nor could he (Mr. Jackson) suffer that kind of doctrine to be held without asserting his opinion to the contrary. Mr. Hastings had every thing to hope for, from their personal regard for him, and from their known munificence ; but he must object to an act of spontaneous munificence being treated as the mere discharge of a debt. Mr. Jackson said he consented cheerfully to the annuity, and admitted that to be a debt of gratitude, because he thought that all men who served the public (and in serving the Company, Mr. Hastings had served the public) were entitled to liberal reward ; whether it might be so previously stipulated or not, the moral obligation was the same. The man or body of men, who could accept of public services without indicating a disposition to reward them, must possess minds of the most sordid and diminutive

description. Men of high spirit, talents, and honour, were apt to confide; they could seldom stoop to make a bargain for their zeal, or condescend to claim the consideration which it deserved. Persons in power knew well this temper, and daily practised upon it; they found themselves served cheapest by modest merit; they knew that the noble mind could never be importunate; and they held it time enough to be liberal when importunity came, or when unblushing venality came boldly to the point, and convinced them it must be purchased.

Such was said to be the wretched policy of courts, and to obtain among men who were callous to those just principles, which form the sacred rules of private life. Such a policy, however, had not yet infected the East India Company; the history of that Court was but one unvaried tissue of generosity and justice towards those who had promoted their interests,

A noble Marquis had recently experienced this fact, and he hoped Mr. Hastings was about to do the same. But between *compensation* and *indemnification*, he should ever contend there was a wide distinction. Mr. Hastings had served the Company; let the Company compensate him. The country had outraged Mr. Hastings, not by accusing him, but by the protraction of his trial; let the country indemnify him for his enormous expences. Upon the whole, Mr. Jackson said, convinced as he was, that Mr. Hastings had no legal claim for his indemnification upon the Company, but that it ought to proceed from the public; and thinking the resolution now proposed, most dangerous as to precedent, disrespectful to the Directors, unjust towards Government as interfering with its just demands upon them, and impolitic in itself as flying
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in the face of the House of Commons ; he should conclude with once more earnestly pressing it upon the Court, to refer the whole matter to the consideration of the Court of Directors, who could examine every bearing of the question, who perhaps might be able to remove constitutional objections, to avoid legal difficulties, and whose wish and impulse he knew it would be, to convey to Mr. Hastings every comfort and assistance, consistent with the pecuniary circumstances of the Company. If gentlemen pressed the original question, they might indeed highly gratify their warm feelings, but he thought they run some risk of failing in their main object, which he presumed to be, to render substantial service to Mr. Hastings.

The chairman informed the Court, that the opinion of Mr. Rous, the Company's counsel, had been taken by the Directors upon the legality of the proposition, which he would order to be read. It was read accordingly, and stated that Mr. Rous conceived the motion was legal, under the words of the act of Parliament, which were read as follows :

33 Geo. III. Cap. 52, Sect. 111. “ And be it further enacted,
 “ that during the continuance of the exclusive trade of the said
 “ Company, the *nett proceeds* of their sales of goods at home,
 “ with the duties and allowance arising by private trade, and *all*
 “ *other profits* of the said Company in Great Britain, after pro-
 “ viding for the payment of bills of exchange already accepted by
 “ the said Company as the same shall become due, and for the cur-
 “ rent payment of other debts, interest, and *other outgoings, charges,*
 “ and *expences* of the said Company, &c. &c.”

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At Mr. Jackson's request, the following clause of the act was read, which Mr. Jackson contended was illustrative of his argument, in opposition to the construction put upon the act of Parliament by Mr. Rous, the Company's counsel.

33 Geo. III. Cap. 52, Sect. 125. " And whereas for protecting
 " the funds of the said Company during their further term in the
 " said exclusive trade, from being burthened with any *improper*
 " *charges*, it is expedient that the said Company should be put
 " under reasonable limitations, in respect to the *granting of pensions*,
 " or *increasing the salaries of their officers and servants*, or *creating*
 " *new establishments*. Be it further enacted, that no grant or re-
 " solution of the said Company, or their Court of Directors, to
 " be made after the passing of this act, and during the continuance
 " of their right in the said exclusive trade, whereby the said funds
 " may become chargeable with *any new salary*, or *increase of*
 " *salary*, or *any new or additional establishment of officers or servants*,
 " or *any new pension*, or *increase of pension*, to any one person
 " exceeding *two hundred pounds per annum*, should be available
 " in law, unless such grant or resolution shall be approved and
 " confirmed by the Board of Commissioners for the affairs of
 " India, attested under the hand of the President of the said
 " Board."

This 125th section, it was contended by several gentlemen, referred only to the grant of pensions, increase of salaries, or the creation of new establishments, and had consequently *no bearing* on the import of the proposition for an indemnification of Mr. Hastings, which was to be considered as a mere *outgoing, charge, and expence* of the Company.

Mr.

Mr. Jackson's amendment was then submitted to the vote of the Court, and negatived.

Mr. Alderman LUSHINGTON proposed to vote the second and third resolution together.

A demur arose as to the looseness of the wording the latter part of the resolution, and it was deemed necessary to limit the indemnification to a specific sum, it became therefore a question, what sum should be specified?

Major SCOTT said, that he was sure the solicitor of Mr. Hastings would have no objection to submit his accounts to the same examination which those of the solicitor to the Commons had been submitted; to the audit of two masters in chancery; the amount, as nearly as it could now be ascertained, was 71,080*l*. The Major said, that the observation of the learned gentleman as to Mr. Dundas was perfectly true.—That minister had moved in the House of Commons in 1782, that it was the duty of the Directors to recall Mr. Hastings. It was equally true, however, that the same minister in 1784, had, in the House of Commons expressed his sincere satisfaction that the Proprietors had had the manliness, and the good sense to resist that resolution, as by so doing they had preserved India to Great Britain.

Some conversation here took place upon the suggestion of a Proprietor, that it would be proper to appoint a Committee to inspect the account, and report the amount.

Lord KINNAIRD thought it would be sufficiently safe in the hands of the Directors, and that no Committee was necessary.

Mr. JACKSON said, that Mr. Hastings had one consolation under his misfortunes, namely, that of falling into legal hands of the most honourable kind. The gentleman who, as solicitor, had con-

ducted his defence, was known not only to have arranged the astonishing mass of matter which he had to collect for the occasion, with wonderful accuracy, but to have conducted himself throughout with the utmost fairness. Mr. Jackson thought, however, that some sum should be stated, and suggested the filling up the resolution with the sum mentioned by the honourable Major, viz. not exceeding 71,080/.

This idea was immediately adopted, and the chairman was about to put the question, when

Mr. Serjeant WATSON rose and declared, it had not been his intention to have said a word more in that Court, but as that was a question which involved a point of law, and was by no means of the description of questions ordinarily submitted to the discussion of the Proprietary, he could not stand by and suffer the question to go to the vote, without stating that he entertained very serious doubts as to the legality of the resolution, and the *right* the Court had to pay the money under the authority of the clause in the act which had been read. The 111th section of the act that authorized the payment of *all outgoings, charges, &c.* could only be construed to mean *ordinary and customary charges*, and not an *item* of so *extraordinary* a nature, as the charges in question. But at any rate, the possibility of error in a matter of so much importance, he thought was a sufficient reason for the Court's acting with great caution; and therefore he proposed to divide the resolution, and vote the first part of it as an instruction to the Directors to inspect the accounts, and take the opinion of the first law authorities, as to the legal power of the Company to discharge the amount under the words of the act of Parliament. The learned Serjeant enforced this objection by argument, and said,

if it should turn out that the first law authorities entertained the same doubts on the matter, that very seriously impressed his mind, the Proprietary might apply to Parliament for a bill to sanction the measure; if, however, the Proprietors present did not approve of this proposition, he hoped at least, that they would so far guard the resolution, as to add the words, “ if the same can be legally “ done.”

Mr. TOLFREY said, after the clear and decided opinion of our learned counsel, deliberately given in support of the power of the Company, to grant an indemnification to Mr. Hastings; I ought to apologise to the Court, for any thing like an attempt to answer the doubts which had been suggested by the learned Judge who spoke last, against the legality of the proposed resolution, to that effect. It would be the utmost presumption in me to suppose that any thing I can say, will either add to the weight of the learned counsel's decision, or be successful in opposing the high authority by which its soundness is now questioned; but having been aware that an objection of this nature would be started, I will beg leave in a few words, just to state what had occurred to me as an answer to it.—The power is contended for under the 111th clause of the late act of Parliament, which authorizes the payment of all *outgoings, charges, &c.* even antecedent to the dividend. But this, the learned Judge says, must be construed to be ordinary and customary charges, and not an *item* of this extraordinary nature. Sir, there is nothing extraordinary in the nature of the charge, whatever there may be unusual in the amount of it; it is such an outgoing as the Company have on many occasions discharged, and surely if I can establish the principle to have been acknowledged and acted upon,

the quantum will make no difference in the argument; or if it does, it will be in favour of Mr. Hastings, for the more enormous these costs are, the heavier they fall on an individual to pay, attaching to his honourable acquittal, all the pecuniary penalty, though not the stigma of a condemnation. That this principle has been acted upon, even after condemnation, has been shewn in one instance, by the honourable Alderman who made the motion, in the case of Governor Verelst. A more recent case, and one strictly analogous occurs to me—that of Nauderah Begum, *v.* The Patna Council. Here was an instance of a Begum's being imprisoned, and deprived of her jewels and property, by the act of the government of Patna.—The Council justified their conduct, as done in the exercise of the powers of their government; they were defended by the Company in India, and the expences of the appeal to this country have, within these last three or four years (just before the passing of this act of Parliament) been paid by the Court of Directors. If, then, this was the practice of the Company at the time the act of Parliament passed, it must be comprehended, even on the construction of the learned Judge, within the words and meaning of the clause I have referred to. But, Sir, it is not necessary to shew that this power is conferred by the act of Parliament. It is incumbent on those, who contend that the Company have no such power, to shew where it is prohibited. The act of Parliament which goes to controul the Company, in any manner whatever as to the disposal of their own property, is highly restrictive; it is the restriction of a natural right, and is to be construed strictly. It is not sufficient to say, that the power to liquidate charges such as these, is not expressly given, it undoubtedly was in

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the possession of the Company, and exercised by them antecedent to the act, and therefore it is left, if it be not expressly taken away.

Sir, it seems to me, that the construction of the learned Judge, defeats itself by proving too much, and to involve the Directors in a dilemma, from which, even his great abilities and legal skill will not be able to extricate them. If all the payments* they have made since the passing of the act, are to be tried upon this construction of it, they will be found in arrear to the Company, to a larger amount than they may probably be aware of, or than I trust they are, in point of law responsible for.

Mr. Alderman LUSHINGTON thought the adding the words proposed by the learned Serjeant would only embarrass the Proprietors, when they came to ballot ; as the question so amended, would throw a doubt on the face of it, that might startle those who would otherwise be inclined to vote for it.

Mr. DAVID SCOTT (the Deputy Chairman) concurred with Mr. Alderman LUSHINGTON, and said, they might be assured that the Directors would take care not to do any thing that was illegal.

Mr. OWEN said, he lamented, as every man, who was not lost to humanity, must lament the late situation of Mr. Hastings : he was anxious that Mr. Hastings should, by some means, be reimbursed the expences of his prosecution ; but being somewhat accustomed to the consideration of legal questions, and having heard an opinion read (Mr. Rous's) to which he could *not* subscribe, he felt

* Subscription to the fire at Ratcliffe, to soldiers widows, cloathing troops on the continent, &c. &c.

himself bound (however unpleasant the task) to deliver his sentiments. Mr. Owen clearly thought, that the latter part of the learned counsel's opinion was erroneous, and that the intended measure for indemnifying Mr. Hastings, was directly contrary to the spirit, and to the express letter of the act of Parliament. The only power which the Company had to vote Mr. Hastings 70,000*l.* was under the words, "outgoings, charges, and expences," mentioned in the 33d *Geo.* III. *C.* 52, *Seçt.* 111, when different acts of Parliament were founded in *pari materia*, it was usual and fair to expound one of them by another; and on the present occasion, Mr. Owen begged leave to call in aid the act of the 13th *Geo.* III. *C.* 64. There a necessity for the most rigid œconomy was recognized, and from the 13th *Seçt.* of that act,* it was apparent, that by the words "outgoings,

* 13th *Geo.* III. *C.* 64. *Seçt.* 13.—And whereas, in the present circumstances of the East India Company, it will not be in their power to provide for the repayment of such loan as aforesaid, and for establishing their affairs upon a more secure foundation for the time to come, unless the public should agree to forego, for the present, all participation in the profits arising from the territorial acquisitions and revenues lately obtained in the East Indies, in order that provision be made by Parliament, for applying as well the whole of the profits arising from the said territorial acquisitions and revenues, as all the revenue and profits of the Company, after providing for certain necessary payments and deductions, to be made thereout, to the payment of the said sum of one million four hundred thousand pounds, and to the reduction of the Company's bond debt; be it therefore enacted by the authority aforesaid, that, until the said sum of one million four hundred thousand pounds shall have been repaid, and the bond debt of the said Company, be reduced to the sum of one million five hundred thousand pounds; the whole clear profits, arising from the said territorial acquisitions and revenues, after defraying the charges and expences attending the same, together with all the clear revenue and profits of the said Company, after providing for the current payments of interest, and other outgoings, charges, and expences of the said Company, shall from time to time be disposed of, and applied in manner following, that is to say, until the whole of

“ goings, &c.” the legislature meant “ necessary payments and deductions” only. Then what are necessary payments ? If a man is prosecuted and acquitted, he cannot recover damages from the prosecutor, unless he proves that the prosecution was founded in malice, and that the same was instituted without probable cause. If a servant is prosecuted criminally for an act done even by the order, and with the approbation of his master, yet the law will not allow that servant to recover from the master the costs which he has incurred in his defence. The master would certainly be bound, in honour, to indemnify his servant, though not in law ; but, admitting (for the sake of the argument) that there is no difference between the ordinary case of master and servant, and the relation which existed between the Company and Mr. Hastings, at the time of his prosecution ; and supposing that this undoubtedly was a debt of honour, could the Directors pay such a debt of honour under the head of “ outgoings, charges, and expences ?” Mr. Owen contended they could not.

of the money so advanced, and applied as aforesaid, shall have been repaid, it shall, and may be lawful, out of the said clear revenues and profits, to set apart and apply, in the first place, such sum as may be sufficient for answering a dividend to the Proprietors of the Stock of the said Company, not exceeding the rate of six pounds per cent. per ann. upon the capital stock of the said Company, and all the surplus of the said clear revenues and profits, shall be applied in diminution of the said sum of one million four hundred thousand pounds, or such part thereof, as shall be remaining unpaid, and for the defraying the charges incurred in respect thereof ; and after the repayment of the whole of the money so advanced and applied as aforesaid ; and until the bond debt of the said Company shall be reduced to the sum of one million five hundred thousand pounds, it shall, and may be lawful, in the like manner, to set apart and apply in the first place, out of the said clear revenues and profits, such sum as may be sufficient for answering a dividend not exceeding the rate of seven pounds per cent. per ann. upon the capital stock of the said Company ; after which, all the surplus of the said clear revenues and profits shall be applied in reducing the bond debt of the said Company.

Could the Company do it by way of gratuity for past services? To say that they could, would be a monstrous construction of the act; for by *Seck. 125*, the Company was so restrained that they could not grant to Mr. Hastings an annuity, or pension of 20*l.* per annum, without the approbation and confirmation of the Board of Commissioners. If, however, the Company could vote to Mr. Hastings 70,000*l.* they might circuitously grant him a pension to an unlimited amount. If the Company could grant Mr. Hastings the gross sum of 70,000*l.* by which he might probably procure an annuity of 10,000*l.* they might, in like manner, create to him an annuity or pension to any extent. Mr. Owen repeated his anxious wish that Mr. Hastings should be reimbursed his expences of the prosecution, if possible; but declared himself decidedly of opinion, that the mode then under consideration was illegal.

Sir FRANCIS BARING said, that the principle of the resolution was by no means a novelty. They had various precedents on their books, of indemnifications to their servants, the only difference was the extent of the amount; but if the principle was right in itself, the magnitude of the sum could not affect it.

Mr. JACKSON recommended it to the Court to take the opinions of the Attorney and Solicitor General.

Mr. IMPEY, with great good humour, reminded his learned friend that at the preceding Court* he had *instructed* him that the Company's Counsel was the usual, and the proper law authority, for that Court to resort to.

* That held May 13, on the question restricting Proprietors from voting on their own contracts, or on any question in which they had a direct pecuniary interest.

After further slight conversation between Mr. Jackson, Mr. Chiffwell, Mr. Henchman, Lord Kinnaird, and one or two other Proprietors, the question was put on Serjeant Watson's amendment, and the same was negatived.

The second and third resolutions conjoined, were then put to the vote, and carried with the amendment, as follows :

Resolved, That the charges made against Warren Hastings, Esq. having been founded upon the public acts of his government in Bengal, and he having been acquitted of all such charges, it is highly reasonable that the said Warren Hastings, Esq. should be indemnified for the legal expences incurred by him, in making his defence.

Resolved therefore, that this Court do recommend to the Court of Directors, to apply to Warren Hastings, Esq. for a statement of the said expences, and that after having established the same, by a full and satisfactory investigation, they do discharge the amount thereof, not exceeding 71,080*l*.

It was agreed, that although this question had passed by a great majority of the Proprietors present, that it ought to be referred to the decision of a ballot, and a ballot was accordingly demanded by Mr. Alderman Lushington, and eight other Proprietors, in due form, and fixed by the Chairman, with the approbation of the Court, for Tuesday the 2d of June.

Mr. Alderman LUSHINGTON proposed his last resolution, having first amended it, by leaving out the words " from the period " of the return of Mr. Hastings," and inserting " from the 1st of " January, 1795, to the expiration of the Company's charter for an " exclusive trade," in order to obviate Mr. Jackson's objections to
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its being retrospective, and to meet whose ideas, and profit by whose suggestions, Mr. Lushington professed himself to be at all times extremely anxious. It stood, therefore, thus :

Resolved, That it is the opinion of this Court, that, in consideration of the long, faithful, and important services of Warren Hastings, Esq. and to mark the grateful sense entertained by this Company of the extensive benefits which they have received from these services, a grant of an annuity of 5,000*l.* from the first of January, 1795, to issue from the territorial revenue, during the term of the Company's present exclusive trade, to Warren Hastings, Esq. his heirs, executors, administrators, and assigns, be prepared by the Court of Directors, and submitted to the Board of Commissioners for the affairs of India, for their approval and confirmation, pursuant to the act of Parliament.

The resolution was agreed to, and a conversation arose, whether the question ought, like the preceding one, to go to a ballot ? several Gentlemen thought that it stood on pretty nearly the same grounds with the resolution for the indemnification, others maintained a contrary opinion.

Mr. TOLFREY said, this question appears to me, to stand on very different grounds from the last, and that a ballot upon it is by no means necessary or proper. The former resolution was to be definitively decided by the Company. The present, after it has passed this Court, and the Court of Directors, is to be sent to the Board of Controul, for their approval and confirmation. In offering a remuneration to Mr. Hastings, his feelings should be consulted, and as there has very properly been no distinction made, either in the
amount

amount or the nature of the pension now proposed, and that recently granted to Marquis Cornwallis, neither should there be any in the manner of bestowing it. The pension to the noble Marquis, was decided on in a General Court, and did not go to a ballot—a ballot may be construed to imply a doubt, and a difference of opinion. I beg leave to submit it to the Proprietors, that after the handsome and unanimous testimony they have given as to Mr. Hastings's merits, they ought not to leave the Court without coming to a decisive vote, as far as it rests with them, on the resolution for his pension.

It being still contended, that the resolution ought to be referred to the decision of a ballot, Mr. Alderman Lushington, and the Gentlemen who had stood forward as the most strenuous supporters of the motion, consented that it should be so referred.

At a General Court, held at the India House, on the 3d of June, 1795, to determine by Ballot the following Question :

“ That it is the opinion of this Court, that in consideration of
 “ the long, faithful, and important services of Warren Hastings,
 “ Esq. and to mark the grateful sense entertained by this Company
 “ of the extensive benefits which they have received from those
 “ services, a grant of an annuity of 5,000*l.* from the 1st of January,
 “ 1795, to issue from the territorial revenues, during the term of
 “ the Company's present exclusive trade, to Warren Hastings, Esq.
 “ his executors, administrators, and assigns, be prepared by the
 “ Court of Directors, and submitted to the Board of Commissioners

“ for the affairs of India, for their approval and confirmation, pursuant to the act of Parliament.”

On casting up the votes, the numbers were,

For the question	508
Against it	220

Majority	288
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The following opinion of the Company's standing counsel was laid before the General Courts at which the resolutions whereon the above ballots were taken were proposed.

C A S E.

A special General Court of the Company, called at the request of nine Proprietors, is to be held to take into consideration the long, faithful, and important services of Warren Hastings, Esq. late Governor General of Bengal, with a notice, that it is intended to offer to the General Court, a proposition for a pecuniary compensation suitable to the importance of Mr. Hastings's services and his present situation.

The resolutions intended to be proposed at this Court have since been handed to the Court of Directors; a copy whereof you have herewith.

Your opinion is desired—whether it is, or is not, competent to the Company to make the indemnity proposed, without the approval and confirmation of the Commissioners for the affairs of India?

OPINION:

O P I N I O N.

The pension of 5,000/. per annum is within the express words of the act, and the grant of the Company cannot be available in law, unless such grant shall be approved and confirmed by the Board of Controul, in the manner prescribed by the act.

With respect to the proposed indemnity for the expences incurred by Mr. Hastings under the impeachment, the power of the Company to discharge such expences depends on the question, whether this payment may be classed under the general description of outgoings, charges, and expences of the Company? In the ordinary case of protecting their servants under prosecutions, no man could doubt it, especially when the event of a prosecution proves that these acts done in their service were really innocent, perhaps in the discharge of a necessary duty. With all due respect to the House Commons, I can discover no ground for a legal distinction between their impeachment and the prosecution of the lowest member of the community, nor between an indictment, the defence to which may cost a very small sum, or an impeachment, which may involve the accused in the most enormous expence; the principle of law must be the same, I, therefore, do think it competent for the Company to pay the expences Mr. Hastings may have incurred in his defence.

GEORGE ROUS.

Temple, May 29th, 1795.

The Court of Directors afterwards received the following opinions upon the following questions arising out of the preceding resolutions,

tions, from the several counsel whose names are subjoined to each opinion.

C A S E.

First.—Whether it is competent to them to carry into execution this resolution of the General Court, consistent with the several provisions and restrictions above recited, with or without the consent of the Commissioners for the affairs of India ?

Second.—Whether the Court of Directors are responsible themselves, supposing they direct the payment agreeable to the said resolution of the General Court, without the consent of the Commissioners for the affairs of India ?

MR. SERJEANT ADAIR'S OPINION.

This case is by no means free from difficulty ; the legislature having so minutely directed the application of all the East-India Company's funds, revenues, and profits, both in Europe and India, and so strongly restricted them to the specific modes of application pointed out by the statute of the 33d of the present King.

I know of no legal authorities, nor clearly established principles, which can serve as land marks to guide me to a certain and decisive opinion upon the question above stated, and I can, therefore, only state the result of the best consideration I have been able to give to the several provisions of the act of Parliament referred to, as applicable to the situation of the Company, and the resolutions of the General Court.

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The whole of the Company's funds and revenues *in India*, seem to be so appropriated by the act, as to leave no part of them applicable to the purpose stated in the resolutions in question. And the "net proceeds of their sales of goods at home, with the duties and allowances arising by private trade, and other profits of the Company in Great Britain," after providing for certain payments mentioned in the first part of 111th sec. are in like manner completely tied up from any such application of them. It appears, therefore, so far clear, that the object in question cannot be legally carried into effect, unless it can be fairly brought within some of those classes of payment which are allowed to be provided for, antecedent to the specific appropriations. The words "current payments of other debts, interest, and *other outgoings, charges, and expences* of the said Company," are in *themselves* large enough to extend to almost any disbursement; but, I think every sound principle of construction will restrain them to such "outgoings, charges, and expences," as were *usual* previous to the passing of the act, and might properly be styled the "*current expences* of the Company." Amongst these, the proper and necessary *law charges* of the Company seem to me to be clearly included. The true question, therefore, appears to be, how far the law charges of *defending those* who have been sued or prosecuted for acts done *by the order or directly in the service* of the Company, may be considered as within the same principle.—I could wish it had been *expressly stated*, whether or not it has been *usual* for the Company, either *previously* to undertake the defence of persons so circumstanced, or *subsequently* to repay them the expences they have legally incurred by reason of such suits or prosecutions.

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I rather conceive that *both have been usual*, and the only difference between those two cases seems to be, that in the latter case (as the party has conducted his own defence) it is open to the inquiry, how far it has been *properly* conducted, and the expences *necessarily* incurred. Supposing therefore (*upon which I desire to be understood as giving no opinion of my own*) “ the charges made against Mr. Hastings, of which he has been acquitted, to have been founded upon the public acts of his government, *under the authority*, or *directly in the employ and service of the Company*,” the inclination of my opinion is, that the Company are *not* restrained, by the fair construction of the statute in question, from reimbursing him such charges as he has *necessarily* and *legally* incurred in conducting his defence.

If this can be legally done *at all* , I am of opinion it may be done *without* asking the consent of the Commissioners for the affairs of India; because I think the payment cannot be made even *with* their consent, unless it comes fairly within the description of the “ *current outgoings, charges, and expences*” of the Company, for which no such consent is required.

If my opinion on this subject is mistaken, the regulations of the act are so strict, and the public have such an interest in the ultimate surplus of the Company’s funds, as well as in some of the specific applications of them, that not only the Company collectively, but even the Directors personally, may be held to be responsible to the Crown, as trustees for the public, for any misapplication of those funds.

J. ADAIR.

19th June, 1795.

MR.

MR. MANSFIELD'S OPINION.

First.—Whether it is competent to them to carry into execution this resolution of the General Court, consistent with the several provisions and restrictions above recited, with or without the consent of the Commissioners for the affairs of India.

This question depends upon the 111th section of the act of Parliament which provides for the appropriation of the profits of the Company in Great Britain, by which, before that appropriation takes place, all the outgoings, charges, and expences of the Company are to be paid. Amongst the outgoings, charges, and expences of the Company, any indemnification which the Company think proper to give for expences which they suppose to have been incurred by their servants in the discharge of their duty, or acting for the interest or benefit of the Company, or any reward which they think they ought to confer upon a meritorious servant, are, I think, to be included. If this be a fair construction of those words, then I think that no distinction can be made between the proposed indemnification of Mr. Hastings, and that of any other servant, prosecuted for acts done by him in his station or employment in India. The largeness of the sum, and the prosecution against Mr. Hastings having been instituted and carried on by the House of Commons, may beget doubts upon this question; but still I think that the Company must have a power to indemnify him, if they have a power to indemnify any servant against the consequences of a prosecution; and the Company alone must be
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the judges, whether they are called upon in justice or honour to give such an indemnification.

The construction which I give to the 111th section is, I think, strongly supported by the provision in the 125th section; for the latter supposes, that without the restriction which is thereby put upon the Company, they might in their discretion, grant annual pensions, where they thought they were merited, so they may give sums of money to persons who appear to them to be entitled to their bounty.

I am therefore of opinion, that it is competent for the Court of Directors to carry into execution the resolution of the General Court without the consent of the Commissioners for the affairs of India.

Indeed, if they could not do it without such consent, they could not do it with it; for if the act of Parliament can be so construed as to restrain the Company from doing such an act, it restrains them absolutely, without any reference to the approbation or consent of those Commissioners.

Second.—Whether the Court of Directors are responsible themselves, supposing they direct the payment agreeable to the said resolution of the General Court, without the consent of the Commissioners for the affairs of India.

I am of opinion, that the Court of Directors cannot be personally responsible for carrying into execution the resolution of the General Court.

T. MANSFIELD.

Temple, June 15, 1795.

MR.

MR. BEARCROFT'S OPINION.

First.—Whether it is competent to them to carry into execution this resolution of the General Court, consistent with the several provisions and restrictions above recited, with or without the consent of the Commissioners for the affairs of India ?

I am of opinion, that the Directors are not legally authorised to carry into execution this resolution of the General Court, and that they cannot do so consistently with the provisions and restrictions of the statute. For it seems to me, that this grant, both with regard to the occasion and the largeness of the sum, cannot with propriety be considered as falling under the general words of the act of Parliament, “ other outgoings, charges, and payments of “ the Company,” which words, as I conceive, only meant the current, usual, and reasonable expences of carrying on the business of the Company.

Second.—Whether the Court of Directors are responsible themselves, supposing they direct the payment agreeable to the said resolution of the General Court, without the consent of the Commissioners for the affairs of India ?

It is more than I can venture to say, that the Directors will not be responsible themselves if they direct the payment proposed.

It is true, an action at law, or a suit in equity, could hardly be framed or maintained against them in such a case ; but it is by no means clear, that they might not be liable to a criminal prosecution by way of indictment or information, inasmuch as the public at large may be ultimately interested in the application of the profits of

the Company; not to say any thing of a possible notice by Parliament of a transaction of this nature.

EDWARD BEARCROFT.

Lincoln's-Inn, June 16, 1795.

MR. ERSKINE'S OPINION.

I HAVE considered the different acts of Parliament with so very strong a wish, that the law might be found to vindicate a measure which appears to me to be sanctioned by every principle of public policy and private justice, that perhaps I may have overlooked difficulties which have occurred to others, or which may really belong to the subject.

The acts of Parliament, taken together, present to my mind but one sensible or legal construction.

The public force of the nation having at different times been employed in extending the possessions, revenues, and commerce of the Company, exclusively granted to it by charter, claims of government were upon several occasions advanced, which ended in compacts of participation confirmed by the authority of the acts of Parliament in question. These acts mark out in what proportions, and subject to what qualifications, this participation of the public in the Company's property is to attach.

With regard to the territorial revenues, they are devoted in the first place, before any participation of the public, to the defraying the Company's military and marine establishments in India:—

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Second, to the interest of their debts incurred in India : and—Third, which is material to the present inquiry, to the defraying of the expences of their civil and commercial establishments at their several settlements.

No rational construction can be put upon these members of the statute, except that the territorial revenues, before any title to public participation accrues to government, are to be appropriated to all expenditures *bona fide* incurred by the Company in support of the military and civil governments of the East.

I am aware that the Board of Controul has a superintendence of the exercise of these authorities, and that it would not be a legal expenditure to create establishments not sanctioned by that body, nor to carry into effect measures which it had interdicted ; but subject to that controul in the exercise of their governments, the revenues are in the first place expressly pledged, or rather appropriated by Parliament, to the expences of their support.

Now it seems to me impossible to confine this expenditure to the mere fixed or calculable expences of establishments ; for if this were so, the Company could neither reward nor protect, nor indemnify their servants, nor provide for their innumerable contingencies of the most extensive and important governments. Nothing but the magnitude and singularity of the occasion can occasion the doubt ; for it must be remembered, that if the construction of the act were to be narrowed to fixed establishments capable of previous calculation, the Company would have as little right to indemnify a civil or military servant who had lost his baggage in a river in the course of service, as Mr. Hastings for the expence of his impeachment.

But the act itself in another part of it shews that the narrow construction is not the true one; because it limits the power of granting pensions to 200%. which is a recognition that the power of rewarding merit from the funds of the Company was before that time a legal appropriation of them to any extent.

Indeed if the public participation is only to commence after defraying the expences of the East India governments, no rational construction can be put upon such a compact, but that every expence *bona fide* incurred by the Company in the just and politic exercise of their authority in India, is to constitute the first appropriation of their revenues, which brings the question to this, viz. Whether the proposed indemnification of Mr. Hastings is a fair and *bona fide* expence arising from their character and situation as governors of India?

Every man acquainted with human life must admit that it is impossible to carry on the most insignificant business, much less the mighty trust of distant and extensive empire, without the means of giving security and indemnity to those who are engaged in the performance of complicated and perilous duties.—The acts for which Mr. Hastings was impeached were the public acts of the Company's government, and now appear by the acquitting judgment to have been acts vindicated by his obligation of service to his masters; it appears therefore to me, that if Mr. Hastings must necessarily be charged with the loss of 70,000%. for the expences of his trial, without any power in the East India Company to tax their revenues with his indemnification, as an expence incident to their establishments in India, the very existence of their governments is endangered, because no government can be administered with vigour and

and firmness, and consequently not with safety, unless its ministers and officers, whilst they are honest, are indemnified and protected in the exercise of their stations.

When I find, therefore, the participation of the public in the Company's revenues postponed until the expences of the settlements abroad are defrayed and provided for, I cannot but consider them as legally devoted to every *bona fide* expence, which wise policy or private justice may call upon men who are governors of distant provinces to incur. And I am most clearly of opinion, that the indemnification of Mr. Hastings falls within both these principles.

The construction which I have ventured to put upon the statute, as it regards the territorial revenues, is amply confirmed by the sec. 111th, relative to the Company's profits in Great Britain, where the participation of the Company is postponed till every outgoing, charge, and expence is provided for. These words, which are of the largest and amplest signification, would be sufficient to carry the decision of this question, looking only to the funds which that section had in view, and standing singly upon it; but I am of opinion, that this 111th section does much more than substantively support the act of the Directors as far as it relates to that fund; it reflects a strong light upon the anterior members of the statute, which the whole history of the regulations concerning India must confirm to every man who is acquainted with them.

With regard to responsibility, supposing the appropriation not to be justified by the act, the Company would undoubtedly be obliged to refund to the public, represented by the Attorney General in an information filed for that purpose; but I have not materials before

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me for judging whether the responsibility would extend to the whole Company, or be confined personally to the Directors.

T. ERSKINE.

Serjeant's Inn, June.

MR. GIBBS'S OPINION.

I AM of opinion, that it is competent to the Directors to carry into execution the resolution of the General Court without the consent of the Commissioners for the affairs in India. The indemnifying an officer of the Company against the expences of a prosecution founded on acts done by him in the execution of his office, may, I think, fairly be reckoned among those outgoings, charges, and expences, which the Company are directed by the 111th section of the statute to provide for. It is highly reasonable that they should possess a power of so doing, for in many cases the exercise of it must be essential to the carrying on of their service; the words of the statute are, in my opinion, large enough to give it to them, and the legislature must, I think, have supposed that the statute had given it, for by the 125th section, the Company are restrained from granting or increasing any salary or pension beyond 200*l.* per annum, without the consent of the Commissioners; which shews that the legislature thought they would have been impowered with this restraint to reward their servants by pensions and salaries to any amount; and if they might reward, it seems to follow, that they might indemnify them against losses and expences arising in the course of their service. It is observable too, that the Company has still under
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the 125th section, a power of rewarding by pension or salary to any amount, with the consent of the Commissioners; but, if they have not a power of indemnifying under the words above referred to in the 111th section, they have it not at all, not even with the consent of the Commissioners, and in no case can the loss or expences of a Company's servant be legally discharged out of the funds of the Company. I cannot think that this was the meaning of those who framed the statute; the words of the 111th section seem to me capable of a construction more conformable to the intent of the legislature, as I collect it from the 125th section, and therefore I think that they ought to receive this construction.

Neither the mode of prosecution against Mr. Hastings, nor the amount of his expences, can in my opinion affect the question upon the Company's right to indemnify him. In what cases and to what extent they shall exercise this right must be left to their discretion; which cannot, as I think, be questioned, unless they act corruptly.

Second.—It follows from my answer to the first question, that I think the Directors will not be responsible for directing a payment agreeable to the resolution of the General Court. If such payment were prohibited by the statute, I should incline to think that the Directors would be personally responsible for making it; but I am not sufficiently acquainted with the constitution of the East India Company, and the powers vested in the Directors, to speak positively on this subject.

V. GIBBS.

Temple, June 24, 1795.

MR.

MR. ROUS'S OPINION.

The first question proposed is nearly the same on which I have already given an opinion. After revolving the subject in my mind with anxious attention, I retain my former sentiments.

The funds of the East India Company are appropriated by compact with the State, confirmed by act of Parliament, and this act must doubtless obtain a liberal construction to effectuate the intention of the parties. The question is, whether under such a construction, “ The payment of the expences of a Governor General, defending himself against a criminal charge of which he is not “ guilty,” can be comprised under the general description of outgoings and expences of the Company, which by the terms of the act are to be discharged before any appropriation takes place.

The first view of the subject which occurs is, can these words receive the confined and limited construction of debts or duties which a court of law will enforce? This, it appears to me, would be an incorrect construction of outgoings and expences, as predicated of an individual; for it will exclude all duties, which moral writers distinguish as duties of imperfect obligation, duties obligatory on the conscience, the performance of which cannot be compelled. These terms, like all general terms, must be expounded, with reference to the subject matter to which they are applied. In the great and complicated concerns of the East India Company, political and commercial, I cannot conceive their just expences so limited as to exclude the protection of their servants, whom the event of a trial has proved to be innocent. How can it be expected

pected that the servants of the East India Company, in the arduous duties to which they are called, should forget their own personal hazards, if the Company have not the means of affording protection to innocence, and even to error? I doubt the possibility of managing these important interests without an expenditure directed to such objects. I am the more inclined to think mine the sound construction of the act, because section 125 provides that no grant of a pension, exceeding a limited sum made by the Company, shall be valid in law, without the consent of the Board of Commissioners for the affairs of India; by which provision the legislature seems to assume, that outgoings and expences would, without such a restriction, comprehend indefinite rewards to the servants of the Company; and by necessary implication affirm, that these grants even of pension, within the prescribed limit, will be legal, under the general description of expences of the Company.

The character of the accusers of Mr. Hastings, and the magnitude of the sum, appear to me to have created the doubt. With all due respect to the House of Commons, I cannot distinguish between their impeachment and an indictment by the lowest member of the community; or between a prosecution which costs the party a small sum, and one which involves him in the most enormous expence. These circumstances may have their influence in the exercise of the discretionary trust, but afford no principle of legal distinction. The power must extend to both cases or to neither.

I have assumed, as one of the terms of the proposition, the innocence of the party accused; and have thought the respect due

to the decision of the House of Lords warranted me in so doing. Not that I think this fact essential, because many cases may exist where the letter of the law has been violated, and yet the party accused may be well entitled to protection; but I have assumed this fact, in the present instance, because it tends to simplify the question, and delivers it from all arguments drawn from the possible abuse of a discretionary trust.

The case most analogous to the present, which within my recollection has occurred in a court of justice, is that of the county of Essex, where the justices in session ordered a fine imposed by Lord Loughborough on the county, to be resisted in the name of an individual, and afterwards, by another order, directed the expences of this litigation to be discharged out of the county stock.—This order was held to be legal.

I have heard a distinction taken which does not satisfy my mind. It has been said, perhaps the Company might have been warranted in originally undertaking the defence of Mr. Hastings, but not in paying the expences after the defence is closed. In my judgment, the conduct of the Company in this, as in former instances, has been a more correct discharge of a public trust. If they must decide previously to a trial, they may be deceived as to the nature of the case, and may sometimes be obliged to determine on the allegations of the party accused. Whereas after the trial their judgment is formed on all the evidence produced by both parties, and aided by the decision of a court of justice.

The remaining part of the first question proposed, whether the consent of the Board of Commissioners for the affairs of India be required? is of less difficult solution. The civil, military, and political

political government of India, and management of the Indian revenues, are subject to their controul, and where a restraint on the other expenditure of the Company was intended, particular provisions are made for that purpose. It is sufficient to say, none of these provisions extend to the present case.

I am therefore of opinion, that it is competent to the Court of Directors to carry into execution the resolution of the General Court without the consent of the Board of Commissioners for the affairs of India; and that such resolution is not inconsistent with the provisions of the act of Parliament.

I am likewise of opinion, that the Directors cannot be personally themselves responsible for error or mistake, but solely for a wilful and criminal breach of trust. Nor can the consent of the Board have the smallest legal effect upon the subject.

GEORGE ROUS.

Temple, June 13, 1795.

*At a Court of Directors, held on Wednesday, the 24th June, 1795 **

THE Court taking into consideration the following resolution of the General Court of the 2d instant, viz.

That this Court do recommend, that the Court of Directors should apply to Warren Hastings, Esq. for a statement of the legal expences incurred by him in making his defence; and that after having ascertained the same by a full and satisfactory investigation,

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they

they do discharge the amount thereof, not exceeding the sum of 71,080/.

RESOLVED, that this Court are ready to carry into execution the resolution above mentioned, but as doubts are entertained as to the legality of the measure, the Court think it incumbent upon them to inform his Majesty's ministers of their intention forthwith to carry the same into execution, unless they shall state any legal objections thereto.

East India House, June 24, 1795.

SIR,

I HAVE the honour of inclosing to you the resolution of the Court of Directors respecting the recommendation of the General Court for the payment of Mr. Hastings's expences, and to request your attention thereto.

I trouble you also with the opinions of counsel upon the subject.

I am,

With great respect, SIR,

Your most obedient humble Servant,

(Signed) STEPHEN LUSHINGTON.

Right Hon. William Pitt.

Downing,

Downing Street, June 30th, 1795.

SIR,

I RECEIVED on the 28th inst. your letter of the 26th, inclosing the resolution of the Court of Directors respecting the recommendation of the General Court for the payment of the expences attending Mr. Hastings's defence, together with the opinions of the counsel who have been consulted.—Considering the rights of the public to a participation, according to the provisions of the act passed in 1793, to be materially involved in the proposed measure, and observing the difference of opinion respecting its legality, which appears in the answers of the counsel who have been consulted, I have felt it my duty to direct the case to be referred to his Majesty's law servants; and I must beg to defer stating any sentiments of mine on the point of question, till I have been furnished with their opinions.

I am, SIR,

Your obedient humble Servant,

W. PITT.

Chairman of the East India Company.

Treasury Chambers, September 7th, 1795.

SIR,

I AM commanded by the Lords Commissioners of his Majesty's Treasury to acquaint you, that the Chancellor of the Exchequer having laid before their Lordships the letter which he had received from you, inclosing the case stated in consequence of the resolution
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of the General Court of Proprietors of India Stock to grant an allowance to Mr. Hastings, for the purpose of defraying the expences incurred by him during his trial, together with the opinions of Mr. Serjeant Adair, Mr. Mansfield, Mr. Rous, Mr. Erskine, Mr. Gibbs, and Mr. Bearcroft, upon the said case ; their Lordships thought proper to refer the same to the Attorney and Solicitor General, for their opinion thereon : and I am now commanded to transmit to you the opinion of the Attorney and Solicitor General upon this question, and to request that you will lay the same before the Court of Directors at their next meeting.

I am, SIR,

Your most humble Servant,

CHARLES LONG.

Chairman of the East India Company.

THE questions proposed by the Lords of the Treasury to the Attorney and Solicitor General were as follow :

First,—Whether it is competent to them to carry into execution this resolution of the General Court, consistent with the several provisions and restrictions above recited, with or without the consent of the Commissioners for the affairs of India ?

O P I N I O N.

The funds under the management of the Court of Directors of the East India Company are not applicable according to the pleasure

of the Court of Proprietors. The Proprietors are not the only persons interested in those funds, and the legislature has by express law restrained the application of the funds to certain purposes, by provisions intended for the benefit of the creditors of the Company, the individual Proprietors, and the public, who are all interested in the management and application of those funds.—The provisions thus made, form various æconomical arrangements for the purpose of preventing abuses in the management of the affairs of the Company, for securing the payment of the debts of the Company, and preserving and extending the trade to the East Indies, and also for regulating the administration of large territorial revenues, applicable to the expences of the military and civil government of the British possessions in India, of the commercial establishments of the Company in that country, and the investments for the purposes of their trade, and finally, bringing to this country an annual income and profit, a considerable portion of which is applicable to the direct benefit of the public. We, therefore, think that all the restrictions imposed by the legislature on the application of the funds under the management of the Court of Directors, are to be construed with as much strictness as the nature and circumstances of every case to which they are applicable, and the general purposes of the legislature in imposing those restrictions, will allow.

The object of the legislature, in the acts which have been made on this subject, and particularly in the 33 *Geo. 3. Cap. 52.* seems to have been to prevent misapplication of the funds intrusted to the Directors.—*First*, by appropriations of the funds to specific purposes ; —and, *Secondly*, by creating such controul as might secure the observance of those appropriations, and particularly in cases which required

quired the exercise of any considerable degree of personal discretion. The immediate controul is principally vested in the Board of Commissioners ; and this controul is enforced and extended by the obligation to submit annually all the accounts of the Company, ranged under proper heads, to the inspection, and consequently to the censure of Parliament.

The resolution of the Court of Proprietors, to which the first question put to us refers, does not express out of what fund, under the management of the Directors, they are to discharge the law expences incurred by Mr. Hastings in his defence of the impeachment preferred against him. We apprehend the whole of the funds under the management of the Directors (except what is called in the 33 *Geo. 3. the Separate Fund*, which, we presume, is not intended to be applied for the discharge of the law expences in question, if it could be so applied) is described in the act of the 33 *Geo. 3. Cap. 52.* under two distinct heads.—*First*, the revenues of the territories in the East Indies ;—and, *Second*, the proceeds of the sales of goods at home, and other profits of the Company in Great Britain. The act appears to have had in view the keeping those two funds, and the expenditure chargeable on each fund, perfectly distinct ; and it directs the distinct application of each fund respectively. The same distinction had not been provided for by the former acts imposing controul on the expenditure of the Company ; but it seems essentially necessary to the whole policy of this act, that the distinction should be strictly observed.

The first point, therefore, necessary to be discussed, to enable us to answer the question proposed to us, seems to be out of which of these two funds the law charges of Mr. Hastings can be paid consistently

sistently with the distinct appropriations made by the legislature, supposing it proper that those charges should be paid out of the funds in the hands of the Directors; or, in other words, under what head of expence, allowed by the act of Parliament, this expence can be placed.

It seems fairly to be collected from the act, that the legislature intended that the expences attending the administration of the affairs of the Company in India should be wholly defrayed out of the territorial revenues; and it seems to us, that the allowance proposed to be made to Mr. Hastings must be considered, either as a reward for past services in his character of Governor General of Bengal, or as an indemnity for a loss sustained by him in consequence of his discharge of the duties of that character; that the allowance, therefore, if made, must be considered as an expence incurred by the Company in the administration of their affairs in India, and, therefore, intended by the legislature to be defrayed out of the territorial revenues.

The application of the territorial revenues is confined by the 107th section of the 33 *Geo.* 3. in the first place to various specified purposes; although, after answering all specified purposes, the surplus is applicable to purposes in some degree discretionary. One of the specific purposes for which these revenues are applicable is, the defraying the civil and commercial establishments of the Company at their settlements in India: and it seems to us that there is no other head of specified expence under which the Directors can have a right to apply any part of the territorial revenues to defray the law charges of Mr. Hastings. We think that the payment of these law charges may be deemed part of the expences of the civil establishment in In-

dia ; if it can be deemed an extraordinary allowance made to Mr. Hastings, either as a reward for his services in India, as Governor General of Bengal, or as an indemnity to him, in consideration of his having been put to those charges in consequence of acts done by him in discharge of the duties of that office. From the 18th section of the act, we think it is to be collected, that the legislature intended that the Court of Directors should be at liberty to make extraordinary allowances out of the territorial revenues for services performed in India, or on any other account concerning their affairs in India, with the approbation of the Commissioners ; adding such allowance, under its proper head, to the next list of establishments to be laid before Parliament, and consequently subject to the future approbation or censure of Parliament. Supposing, therefore, the payment of the law charges in question can be justified as an extraordinary allowance under this head of specified expence, namely, as part of the expence of the civil establishment in Bengal, we think the Court of Directors may carry the resolution of the Court of Proprietors into execution, with the approbation of the Commissioners, by directing the application of a part of the territorial revenues for the purpose, in a dispatch proposed by the Directors to be sent to India, and transmitted by them to the Commissioners for their approbation ; and (having received that approbation) sending the dispatch to India, and afterwards adding the allowance, as an extraordinary allowance, under its proper head, to the next list of establishments to be laid before Parliament. But we apprehend the Commissioners may withhold their approbation of such extraordinary allowance, not only under the implied authority given them by the 18th section of the 33 Geo. 3. and their general controul over dispatches sent to India,

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but also under the exprefs provisions in the 9th section of that act, which gives them full power and authority to superintend, direct, and controul all acts, operations, and concerns, which in anywise relate to or concern the civil or military government or revenues of the territories in India, subject to such directions, rules, regulations, and restrictions, and to such appropriations of those revenues as are provided by the act.

We apprehend, therefore, that if the Commissioners shall withhold their approbation of the application of the territorial revenues in India to the payment of the law charges in question, as reasonable expences of the civil establishments in India ; and more especially, if the Commissioners shall signify their disapprobation of such payment, the Directors cannot justify the payment out of the territorial revenues in India ; and we think such payment, if it could be effected, would be an act in contradiction to the provisions in the 33 *Geo. 3. Cap. 52.*—If the Commissioners shall approve the payment, it must be made in due order, after the revenues shall have answered the expences to be discharged prior to those of the civil establishments ; the act, in giving the general controul to the Commissioners, expressly confining them to a strict observance of the appropriations made by the act.

The other fund, under the management of the Directors, namely, the proceeds of the sales of goods at home, and other profits of the Company in Great Britain, is appropriated to particular purposes by the 11th section of the act ; after providing for the payment of bills accepted, and for the current payment of other debts, interest, and other outgoings, charges, and expences of the Company, their bond debt excepted. The particular purposes, for which this appropriation

tion is made, are such as cannot include the law expences in question; and, therefore, if those expences can be paid out of this fund, the payment must be authorised by the general words "outgoings, charges, and expences of the Company, subject to which the specific appropriation is made;"—but we think those words were not intended to comprise the outgoings, charges, and expences of the Company before provided for, by the specific appropriations of the territorial revenues made by the 107th section. The words, therefore, we think, must have been intended to be used in a limited sense; and the question is, in what sense they were intended to be used? We think, upon a view of the general policy of the act, as well as of many of the particular provisions, the words must at least be so confined in construction as to exclude the outgoings, charges, and expences of the Company in the administration of the government of India; and we incline to think, that every outgoing, charge, and expence, relative to the transaction of the affairs of the Company in India, ought also to be excluded, so far as it is provided for by the appropriation of the territorial revenue to its discharge. If the meaning of those general words cannot be so confined in construction, the whole policy of the act, in creating a distinction between the two funds, and all the arrangements founded on that distinction, and the controul on expenditure provided by means of the Board of Commissioners, and particularly the restrictions contained in the 18th section of the act, may be defeated or evaded; and any allowance, reward, gratuity, or other expenditure proposed to be made out of the Indian revenue, and disapproved by the Commissioners, may be made out of the fund in Great Britain, although that fund will have

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been in a considerable degree produced by the investments made with the produce of the territorial revenues in India.

As we conceive that the payment of the law charges of Mr. Hastings, in defending an impeachment for his conduct in India, as Governor General of Bengal, if it can be deemed an expence of the Company, must be deemed an expence relative to their affairs in India, and provided for as such out of the revenues under their management in India, we think that the application of any part of the fund arising from the proceeds of the sales at home, or other profit of the Company in Great Britain to defray those law charges, will be in contradiction to what we conceive to have been the intent of the act of the 33 *Geo. 3. Cap. 52.* and we, therefore, think those charges cannot be paid by the Directors under any authority (except that of the legislature) out of the funds under their management, unless the payment can be made out of the territorial revenues in India.

The 125th section of the 33 *Geo. 3.* on which reliance seems to have been had to support an opinion, that the Directors might pay the law charges in question without controul, appears to us to be capable of a construction consistent with what we conceive to have been the general policy of the act. The clause is expressly made for protecting the funds of the Company from being burthened with any improper charges; and it appears to us to have been intended to restrain abuse in the exercise of the powers allowed by the act, by preventing the burthening of those funds, either in Great Britain or in India, with any new salary or increase of salary, or any new or additional establishment, or any new pension or increase of pension, to any one person, exceeding 200*l.* a year, by any grant or resolution of the Company or Directors, without the express confirmation of
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the Commissioners, attested under the hand of the President of the Board ; so that no new permanent charge exceeding 200*l.* a year, can be brought either on the funds in Great Britain or on those in India, under pretence of salary or pension, or necessary establishment for any of the purposes of the Company, without the express authority and consequent responsibility of the Commissioners ; and particularly the mere approbation by the Commissioners, signified by their secretary, of a dispatch to be sent to India, in which such new permanent charge might be directed, will not warrant such charge ; but the grant or resolution must be distinctly and positively confirmed by the Commissioners, and that confirmation must be signified by an act of the Commissioners, authenticated by the signature of their President. It appears to us also, that unless this clause is construed with reference to the preceding appropriations made by the act, and if it can be used to infer an unrestrained power in the Directors to grant money in any shape, except those specified in the clause, it may be extended by inference wholly to defeat the clause itself, by enabling the Directors to pay, in any other shape, that which the Commissioners may have refused to approve when offered to them in the shape of pension, salary, or establishment.

The surplus of the territorial revenues, after answering all the specific purposes mentioned in the 33 *Geo.* 3. may be applied, either in reduction of the debts of the Company in India, or for such other uses or purposes as the Directors, with the approbation of the Commissioners, shall direct. We apprehend, however, that no such surplus has arisen, or is likely to arise for a considerable time ; and that, therefore, it is of little importance to the question put to us, to consider what is the extent of the powers of the Directors and Commissioners

missioners over such surplus ; but it seems to us that those powers must necessarily be confined to purposes beneficial to the Company, their creditors, and the public.

Upon the whole, we think the legislature intended to authorize the Directors to reward any servant of the Company for any service done, and to indemnify any servant for any loss sustained in the discharge of his duty, as a servant to the Company, out of the funds under their management, according to the appropriations made by the 33 *Geo. 3. Cap. 52.* and under the restrictions and controul provided by that act : and we conceive, that the act has appropriated the revenues in India, to the discharge of the obligations created by service done in India, or loss sustained in the discharge, or in consequence of the discharge, of duty performed in India ; and in like manner has appropriated the funds in Great Britain to the discharge of like obligations created by service done, or loss sustained in consequence of duties performed, in Great Britain. It also appears to us that the legislature has imposed the restraint and controul of the Commissioners upon all acts of the Directors in making out of the revenues in India, remunerations for services done in India, and indemnities for losses sustained in the discharge of duties performed in India ; so that the Directors cannot apply any part of the revenues of India for such purposes without the approbation of the Commissioners.

It appears to us, therefore, that if the law expenses incurred by Mr. Hastings, in the defence of his impeachment, ought to be defrayed by the Directors out of funds under their management, either as a gratuity for past services, as Governor General of Bengal ; or as an allowance by way of indemnity for loss sustained by him, in consequence

consequence of the discharge of the duties of that office ; there is power under the provisions of the 33 *Geo. 3. Cap. 52.* to defray such expences out of the territorial revenues in manner before-mentioned, but not out of the funds in Great Britain. Whether the payment of those charges is an extraordinary allowance, which can properly be deemed part of the expence of the civil establishments in India, either as a gratuity or indemnity to Mr. Hastings in his character of Governor General, within the meaning of the 33 *Geo. 3.* ? and if it is such an allowance, whether it is fit and proper that it should be made to Mr. Hastings ? are questions to be decided by sound discretion, upon a full statement of all the circumstances, none of which are stated to us. We conceive those questions are proper subjects for the discussion of the Directors in the first instance, and of the Commissioners afterwards, upon a full view of all the circumstances ; and the legislature seems to have left the decision, in a great degree, at least, to their discretion, subject to the responsibility necessarily imposed on their respective situations. The resolution of the Court of Proprietors can only operate according to its terms, as a recommendation to the Court of Directors, to which they are undoubtedly bound to pay due attention, but upon which they must exercise their own judgment, the responsibility remaining with them for any acts which they may do in consequence of such recommendation.

Second.—Whether the Court of Directors are responsible themselves, supposing they direct the payment agreeable to the said resolution of the General Court, without the consent of the Commissioners for the affairs of India ?

We have already stated in what manner we conceive the law charges in question must be paid, if they can be paid by the Court of
Directors

Directors out of funds under their management ; and we have also stated our opinion, that the Directors cannot, according to what we conceive to be the true meaning of the act of the 33 *Geo.* 3. although, perhaps, imperfectly expressed in the terms of the act, pay those charges out of any fund but that of the territorial revenues in India ; and that they cannot pay the charges out of that fund without the approbation of the Commissioners ; who have, as we apprehend, full power to withhold that approbation, and to forbid the payment.

We think if the Court of Directors shall make the payment in contradiction to the provisions of the act, either out of a fund not applicable to the purpose, or out of a fund applicable to the purpose, but without the approbation required by the act, the Directors who shall concur in making such payment will be respectively personally responsible, criminally as well as civilly, for their misconduct, in the same manner as they would be for any other misapplication of the funds under their management in breach of the provisions contained in the act.

JOHN SCOTT.

Lincoln's Inn, August 13, 1795.

JOHN MITFORD.

THE EAST INDIA COMPANY TO WARREN
HASTINGS, Esq.

SIR,

Harley Street, Sept. 17, 1795.

THE late resolutions of the General Court in your favour, with respect to the charges incurred by you in consequence of the impeach-

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ment ; and the annuity, as a reward for your services to the East India Company, are sufficient proofs of the high estimation in which you stand with the Proprietors at large.

These resolutions have not been carried into immediate effect, because doubts have arisen as to the legality of the measure under the provisions of the act of Parliament, as to the application of the profits of the Company, after certain defined payments are made ; and with regard to the annuity, the approbation and confirmation thereof being expressly, under the provisions of the act, with the Commissioners for the affairs of India.

Whilst these questions have been agitated, and remain undecided, the public, and every individual Proprietor have, in the exercise of their judgment upon the propriety of the measures (to which they most undoubtedly have a right,) canvassed with precision your character and conduct whilst exercising the high office of Governor General of all their affairs in India, and particularly the fortune you acquired in their service. Upon the two first points, I trust, there is no doubt ; but as to the latter, variety of opinions are entertained by men of the first character and honour in the country. From some hasty, and perhaps unnecessary declarations made some time ago, and from appearances since, gentlemen of this description have entertained doubts of the truth of the assertions ; and though a printed paper has been in circulation as to the state of your fortune, yet your immediate constituents, the East India Company and the public, whose interests I consider as inseparable, remain without any declaration or avowal from you personally as to the true state of your affairs.

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It is suggested, that a distinction is attempted to be made between your fortune and Mrs. Hastings's: this is a subterfuge unworthy of your honour and character, and I am sure it is unnecessary for me to point out to you how impossible it is to make this distinction with any degree of justice.

I have, Sir, no pretensions, in my individual capacity, to inquire into the state of your private affairs; I should think myself impertinent so to do; but, as Chairman of the East India Company, anxious for the honour and character of their servants of every description, especially those who have held such high and confidential offices, I have taken upon myself to desire of you to state to me in writing, upon your honour, a full, plain, and unequivocal account of your fortune, for the purpose of availing myself of it, if I see a fit and proper occasion, for removing those doubts, which, I must repeat, do at present exist in the minds of persons of distinguished honour and character.

If, Sir, you chuse to give me an explicit answer, it may be of use; if not, you will consider my letter as coming from a Gentleman holding (however unworthily) a very honourable and respectable situation, and not the impertinent curiosity of an individual.

My situation must be my apology, and my object can only be to rescue, or rather preserve pure, your character from the suggestions before stated.

I have the honour to be, SIR,

Your very obedient Servant,

(Signed)

STEPHEN LUSHINGTON.

Warren Hastings, Esq.

MR. HASTINGS'S ANSWER.

Daylesford House, Sept. 22, 1795.

SIR,

I HAVE had the honour to receive your letter, in which, after informing me of the legal difficulties which have hitherto occurred to prevent the Court of Directors from carrying into effect the late resolutions of the General Court, you are pleased in substance to add, that other objections were likely to arise, from a variety of opinions entertained by men of the first character and honour in this country, respecting the fortune which I acquired in the Company's service, on comparing the declarations formerly made of its amount, whether prudently made or not, with appearances since, and to desire of me to state to you in writing, "upon my honour, a full, plain, and unequivocal account of my fortune, for the purpose of availing yourself of it, if you should see a fit and proper occasion, for removing those doubts which, you repeat, do at present exist in the minds of persons of distinguished honour and character."

Whatever sense of public duty may have dictated this reference, or wish to obtain for the Proprietors the fullest information to assist their deliberations upon a matter likely to be soon again brought before them, still I cannot but feel myself impressed with the warmest sentiments of gratitude for the share which I have in the immediate object of it; which is by stating to me the reports which have prevailed, to the injury both of my character and pretensions, to afford me the means of repelling them, and of justifying

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the past approbation and beneficence of my generous and ever-respected employers. I now with pleasure acknowledge the obligation, and return you my sincere and most grateful thanks for it.

To the demand which you have made, and expressed in terms of the most impressive solemnity, I shall reply, as I ought, with the pledge of my honour, which it requires for the verification of it, and with as sacred and awful a regard to truth, as if I was still in the presence of that tribunal, before which I have already made a similar declaration upon the same subject, and called upon the Almighty to attest it.

I will first endeavour to lay before you, in as few words as possible, that full, plain, and unequivocal account of my fortune as it stands at the present moment, which you are pleased to require from me.

I owe to my solicitors and to various individuals 97,000/.

To answer this sum, I possess the estate of Daylesford, in Worcestershire, which cost me, including the original purchase, and what I have expended upon the house, gardens, and lands, about 60,000/. The estate is 650 acres, and may be valued at 500/. clear yearly rent. I have a diamond which I purchased for a remittance twenty-one years ago; it is still unfold, and its estimated value is 3000/.—I paid for it 33,000 sicca rupees. I have one share in the Berrington, and another in the Phoenix Indiamen, valued at the first cost, 2,232/. I have some furniture, horses, and other farming stock, which it is impossible to appreciate; I believe I over-rate them at 2,000/. And I have recoverable debts, owing to me in England, amounting to about 3,000/. I do most solemnly affirm to you, Sir, upon my honour, that I have no other property in any
part

part of the world which can properly be called such ; some debts in India, and a few in England, which I have not included, and those of no very great amount, being, as I conceive them, absolutely irrecoverable. For prudential reasons, I do not choose to undervalue that property, which it is possible that I may be eventually compelled to realize ; and as the probable sum, which it would yield in that case, is a subject of mere calculation, which any person may be as competent to form as myself, I shall not undertake, nor is it therefore necessary to state my own conjectures upon it.

I must avow, notwithstanding the severity with which you seem to reprobate the distinction, that in estimating my own fortune, I never did mean to include that which is exclusively the property of Mrs. Hastings ; it is true, the principal sum from which it has accrued was once my own. I bestowed it upon her as a marriage settlement in 1777, not as an act of liberality, but as a compliance in course with the usage, which I believe to be universal, of the community of which I was a member. The sum was one lack of sicca rupees, and paid by a bill upon my attornies in England, the proceeds of which were to be vested in the hands of trustees for her use. At that time all my fortune was lent upon mortgages ; and the bill was returned. When it was ultimately paid, the sum, with the interest, amounted to 22,234*l.*—this, by the sale of jewels, grew to 40,000*l.* from which 10,000*l.* were deducted for the purchase of a house and furniture in Park-lane, lately made over as a security for that sum assigned for the marriage settlement of Mrs. Imhoff, the wife of her son. I declare upon my honour, and even by all that is more sacred, if any thing can be more sacred, that I have never added to her fortune since the day of my marriage. That I
never,

never, either in India or in England, directly or indirectly, made over one rupee or one shilling of my property to Mrs. Hastings, or to any person or persons in trust for her, nor, to my knowledge or belief, does she possess any property beyond the sum which I have specified.

If it should be surmised (and God help me! I have too much experience of the inventive malice of one species of mankind, not to suspect and obviate such a calumny) that though I abstained from the acquisition of wealth by indirect means in my own person, I permitted it in her's; or that she may have availed herself of the influence of my station to raise money without my connivance; I know not how to refute such an imputation, but by a solemn declaration, and I do most solemnly declare, that I never did, knowingly, permit her to receive money in presents; that I do not believe she could have received them, without some intimation or notice of it reaching me; and that I am morally certain she possesses, and has ever possessed, too sensible an anxiety for my reputation, to attempt, or meditate an act, which either in my sense of it, or in that of the world, would reflect dishonour upon it.

But I will not leave this suspicion entirely to be done away by my own affirmation, though on oath; much less by my belief.—One legal proof of my general conduct, as it relates to the subject in question, has been exhibited in Westminster Hall, in the present of ten lacks of rupees, which I received at Benares in the year 1781, from the Nabob Vizier and his ministers. Of this sum, one lack was expressly given in the name of Mrs. Hastings, and was equally with the rest appropriated to the service of the Company. It is not indeed on record, that she was consenting to this application of it;

it ; but every circumstance of that transaction, to those who read the minutes of evidence containing it, will afford the clearest conviction that this sum could not have been made an exception from the application of the rest ; and that a part of the general sum was applied, as I have said it was, before the communication between my station and the province of Bahar was open.—In truth, so little did I conceive Mrs. Hastings to be implicated in this transaction, or that it was a matter of which it was incumbent upon me, even in point of delicacy, to make her acquainted with it, that I do not believe she ever knew it, until it became a matter of public notice in England ; for I well recollect my mentioning it to her myself, as a subject then unknown to her, and telling her, jestingly, that among other acts of injustice and oppression, I had been accused of defrauding her of her right, in disposing of her property without her permission.

I will now proceed to state, in as clear and distinct a manner as I can, the amount of my fortune as it stood when I came to England ; the additions which it has received ; and the mode in which I have lived since my arrival, declaring in the first place, and with the same solemn appeal which I made in Westminster Hall, that I never was worth, at any time of my life, the sum of 100,000*l.* and that, in this calculation, I include every kind and description of property whatsoever.

On the 31st of January, 1786, I desired my agent, Mr. Woodman, to draw out a state of the fortune which I then possessed in England, and of which he at that time kept the accounts ; and which I conceived to comprehend the whole amount that I was worth, balancing the amount of my debts, and running expences
in

in India, with the debts which were owing to me, and which I had a probability of recovering ; many of them being of a nature which forbade me to consider them as debts, even at the time in which they were contracted. This account, with Mr. Woodman's name subscribed to it, and since attested by him on oath before the Court of Peers in Westminster Hall, I put into the hands of my friend Major Scott, who was at that time a member of the House of Commons, and authorised him to produce it wherever, and in what way soever he should judge it necessary, to repel the false reports which did prevail, and which were industriously circulated, respecting the amount of my fortune. Of the prudence or necessity of this cautionary expedient I will not pretend to judge : it appeared to me indispensable at the time ; and when the subject was first mentioned by Major Scott in the House of Commons, he either did it by my express desire, or with my concurrence. I had information, that an attempt would be made in the month of February, 1787, to obtain an order to secure my person and my property, under the plea of preventing me from withdrawing myself from the kingdom, or making over my fortune : no motion to that effect was formally made, but the necessity of it urged, and supported by a declaration, that large sums had on the preceding day been sold out of the stocks, leaving an impression undoubtedly upon the minds of the members who heard it, that I had sold property to a considerable amount ; it was upon that occasion that my friend truly stated both the amount of my fortune, and the securities in which it was vested, no part of it being in the funds.

Mr. Woodman's account is inserted in the printed paper to which you allude ; it was circulated, at my desire, amongst the Proprietors,

and I requested Mr. Lushington to declare in my name, that I was ready to verify the contents of it upon oath, to the best of my knowledge. Allow me, Sir, to refer you to that printed paper, for any points which may not be sufficiently explained in this letter, desiring you to notice, that in that paper I have understated my law expences and my debts; not including all the interest on the first, nor all that were outstanding of the latter, nor, of necessity, the expences since incurred.

By Mr. Woodman's account you will see, that the balance of my fortune on the 31st of January, 1786, was 65,313*l.* 13*s.* 6*d.* to this sum 10,000*l.* are to be added, as explained in that paper, being a debt due to me in England, and since paid; together with 4,000*l.* of money recovered in India, and since remitted: so that the real amount of my productive fortune on the 31st of January, 1786, was 79,313*l.* It is true, I have received a further sum of 17,000*l.* from India, which is also included in that paper, as remittances from India; but that was not a debt recovered; it was a remittance made to me in consequence of my trial, in a manner which I will freely explain to you in the subsequent part of this letter; I confine myself now to an enumeration of all the money that has come into my possession since I arrived in England, for the purpose of shewing how it was all expended.

The debit side of the account states various debts which were to be paid out of the assets on the other side; in effect all were paid, except the sum of 3,000*l.* stated to be due to Mr. Barwell, which has been already explained not to have been due, and 5,000*l.* due on bond to Major Scott, for cash borrowed of him in India; that article remaining still unpaid, the whole amount of money in my hands

since January, 1786, exclusive of money lately borrowed, which I shall mention in the general result, is 101,313*l.* as stated in the printed account.

Before I proceed to shew how this sum was expended, I must beg leave to observe, that it was not merely “ from appearances,” but from reports injuriously propagated, that men of character and honour have found it difficult to reconcile the state of my fortune with the mode in which I have lived, and the enormous expences which I supported ; for such is the interpretation which I take the liberty to put upon the expression of your letter to which I allude, and which a sense of delicacy perhaps induced you to convey in that allusive term.

I have been told, and I think it proper, and in point, to mention what I have heard, as it appertains so immediately to the subject before me, that my expences have been estimated at 16,000*l.* a year ; that I am supposed to have laid out more than 100,000*l.* on my estate at Daylesford ; and that the various extra expences attending my trial, many of which were represented to be of such a nature as made them unfit to be exposed to the public eye, were so enormously large, that it was affirmed, in a place which I reverence too highly to name it on such an occasion, and with the pledge of authority given for the affirmation, that I had been “ able to “ buy up all the Newspapers, and that 20,000*l.* had been expended “ in the publication of Mr. Hastings’s libels.” This declaration was made so far back as the year 1790, and leaves the suggestion of a sum most enormous, included in the proportion of the other expences, and in the period which has since elapsed.

To each of these points I shall reply successively, by shewing what was my real charge on each.

I came to England in the year 1785, and lived in a hired ready-furnished house, first in St. James's Place, and next in Wimpole-street, until the year 1790, when Mrs. Hastings purchased the house in Park-lane, as I have before mentioned.

I purchased a small estate in Old Windsor, called Beaumont Lodge, in 1786, and resold it in 1789, for the exact sum that I had given and expended upon it.

In 1789, I purchased the principal part of the estate of Daylesford, and about two years since the remainder: it was an object I had long wished to possess: it was the spot in which I had passed much of my infancy; and I feel for it an affection of which an alien could not be susceptible, because I see in it attractions which that stage of life imprinted on my mind, and my memory still retains. It had been the property of my family during many centuries, and had not been more than seventy-five years out of their possession. I should not notice these trivial circumstances, but that in detailing the process of my expences, I feel that in that part of them which relates to this place, I have to defend myself, if I can, against the charge of extravagance, and I fear I have no better excuse to make for it.

While I was providing for my reception at Daylesford, I rented a house in Berkshire, which I occupied two years. My residence in these periods, and to the present time, has been successively divided between the town and country in the places which I have enumerated.

My

My style of living in both has borne no marks of extravagance or splendour. To those who have witnessed it, I think I may say, that it was rather below than exceeding the rank in life which my former station might have entitled me to assume. Negligent and improvident as I may be in other instances of expence, this branch of it has ever been conducted with the most exact and profitable economy; for I can affirm most positively, that my domestic expences, including every species of disbursement both in town and country, do not exceed one year with another 3,500*l.* in their annual amount: I affirm the fact, but do not assume the credit of it.

I have stated the gross cost of my estate in Daylesford to be 60,000*l.* but as I am now only relating the actual expenditures made upon it out of the money which I have stated to have been in my possession, I must deduct from this amount the sum of 4,000*l.* which is still due, and the further sum of 1,600*l.* being the purchase money of a small estate belonging to the manor of Daylesford, which was purchased for me while I was abroad, and makes an article in Mr. Woodman's account. This leaves the sum of 54,400*l.* for my whole expenditure on this head.

The extra expences attending my impeachment, and the previous investigation in the House of Commons, have amounted to the sum of 21,840*l.* Of this charge I have paid only 4,700*l.* the remaining sum of 17,140*l.* is included in my debts. That I must necessarily have been subjected to a great variety of incidental expences, besides those which are charged in my solicitor's bills, will be obvious to every man. The total amount is, I believe, considerably within any estimate that has been made of them.

I have

I have now, Sir, gone through every head of charge as applied to the sum specified; and the following statement will exhibit at one view, all the sums that I have both received and expended since my arrival in England.

RECEIPTS.

	£.
In my possession, as per printed paper -	101,313
Borrowed from various gentlemen in the last and present year - - - -	23,000
Legacy left by Lieutenant-Colonel Eaton -	1,000
	<hr/>
	£.125,313

DISBURSEMENTS.

	£.
Daylesford, - - - - -	54,400
Solicitors and Counsel - - -	29,285
Extra expences paid in part - - -	4,700
Interest on Major Scott's bond for ten years, at 8 per cent. - - - -	4,000
Domestic expence in town and country, estimated at 3,500 <i>l.</i> per annum for ten years -	35,000
	<hr/>
	£.127,385
Difference -	2,072

Lieutenant-

Lieutenant-Colonel Eaton died in 1789.—He left me a legacy of 1,000*l.* which did not occur to my recollection when the printed paper was drawn up.

These accounts are not entirely balanced, nor do I vouch for their complete accuracy. I have taken no credit for the interest upon my mortgages. They were paid off by instalments, and I must have received some interest upon them. I may have, and I do conscientiously believe, that I have estimated my household expences too high; and in parts of every head of disbursement, I have had recourse to my memory and to conjecture in default of present or accurate materials.—My bills were discounted, sometimes at a loss, and sometimes with interest due upon them. There must, therefore, of course, be some trifling errors on each side of this account, but none I am confident that can make a difference of any consequence; and for every essential purpose the account is complete, and will, I trust, be deemed a full, clear, and unequivocal answer to that part of your letter which requires from me such a statement, upon my honour, as shall satisfy the minds of those who have conceived that in the declared state of my fortune, I did not possess a sufficiency to defray my actual expences. I declare upon my honour, and in the most solemn manner, that I have endeavoured to the utmost of my means and ability, and with the most scrupulous fidelity, to render the account as correct as possible.

I must beg leave to insert in this place the explanation which I promised in a preceding part of my letter, of the remittances of 17,000*l.* which were made to me from India. I reserved it to make part of another subject connected with it, but not essential to my
reply,

reply, which I grieve to find that I have already lengthened beyond all reasonable bounds, and shall hasten to close it.

I am indebted for these remittances to the generosity of individuals, granted for the express purpose of relieving my wants. They were received in the years 1790 and 1791, most seasonably at times, in which, but for them, I should have been reduced to great distress. I do not mention this as an excuse for my accepting them, since I am not conscious of any positive law or moral obligation that forbade it. I mention it only to shew, that while I was an object of envy to some, and of jealousy to others, under the imputation of possessing inordinate wealth, and when, in addition to the charge of extravagance, I was publicly accused of the most corrupt disposal of it, I was actually on the verge of penury, and in fear of wanting the means of acquiring the common necessaries of life, but in the degrading resource of private credit, to which I have since been actually compelled to submit.

I make it my request, Sir, that you will have the goodness to lay this letter before the honourable Court of Directors, and to them I make it my request that it may be submitted to the Court of Proprietors. I take this occasion to return them my most grateful thanks for the distinguished honour they have conferred upon me by their late resolutions. I thank them for those testimonies of their approbation of my services, and for the bounty with which they have so liberally rewarded them. *That* I have completely received as far as they could bestow it, in their public declaration that *they* thought me deserving of it; nor have I a wish respecting it, so far as it regards them, unsatisfied. But with respect to the resolution which they had been generously pleased to pass to indemnify me for the legal expences

pences of my trial, I own, I cannot contemplate its result with the same tranquil resignation. I require the accomplishment of it, not on the score of interest but of honour, that I may acquit myself of my engagements to those to whose confidence and friendship I owe that I am not absolutely destitute. With such a stake I feel no repugnance to make my humble supplication to my employers, that I may obtain from their generosity that relief, which I once thought I had a right to expect from the justice and from the laws of my country.

I have the honour to be,

With the greatest respect, SIR,

Your much obliged and most

Obedient humble Servant,

WARREN HASTINGS.

To Sir Stephen Lushington, Bart.

Chairman of the Court of Directors.



On the Resolutions of May 29th, and of June 2d and 3d, respecting the Payment of the Law Expences incurred by, and granting an Annuity as a Reward of his Services to WARREN HASTINGS, Esq.

WEDNESDAY, Sept. 16, 1795.

THE CHAIRMAN stated for the information of the Court, that since the last meeting of Proprietors, the Directors previous to their carrying the resolutions of the General Court of Friday,

M m m

of

the 29th of May, recommending to them to apply to Mr. Hastings for a statement of his expences, and after having ascertained the same, to discharge the amount thereof, not exceeding 71,080*l.* into execution, had thought it necessary to inform the minister of their intention immediately to obey the directions of their constituents, unless he knew of any legal objection to their so doing. That Mr. Pitt sent them word, that he could give no answer, till he had consulted the rest of his Majesty's ministers on the subject. That a letter was subsequently sent him (the chairman) from Mr. Long, Secretary of the Treasury, inclosing the opinions of the Attorney and Solicitor General on the subject, which, with those of the other learned gentlemen, to whom cases had been stated by the Company's Solicitor, had been printed for the use of the Proprietors.

Mr. JACKSON wished to suggest his hope, that when the honourable Magistrate (Alderman Lushington) who probably would make some motion on the report, should have settled it, the chairman would take care it was published, and made known some days previous to the next General Court ; that on the 14th of October the Proprietors might not be called upon all at once to discuss a matter of which they had previously received no information.

The CHAIRMAN said, that point did not rest with him, but with the discretion of the individual Proprietor that should make any motion on the report.

Mr. JACKSON said, most certainly ; but he thought it right to throw out the suggestion, with the hope that the honourable Magistrate or the honourable Major whom he saw present, or any other of Mr. Hastings's friends, who should make such a motion, would
take

take care that it should be publicly known previous to the day of the General Court.

Major SCOTT, conceiving himself to be thus publicly called upon, rose merely to declare that he knew of no motion that was intended to be brought forward; sure he was, he meant not to offer any, nor did he believe that any other of Mr. Hastings's friends had such an intention. He reminded the Court, that at a full General Court held on the 29th of May last, the order of proceeding had been, to read several precedents of resolutions come to at different times, respecting the services of different persons, who had distinguished themselves in India; and that in consequence, one preliminary resolution, acknowledging the eminent services of Mr. Hastings, and declaring the Court highly sensible of them, &c. was proposed, moved, and agreed to *unanimously*; and after that, a resolution, that the charges of the impeachment had been founded on the public acts of his government, and therefore, that "it be recommended to the Court of Directors, to
 " take into their consideration the services of Warren Hastings,
 " Esq. late Governor General of Bengal, and to report their
 " opinion to this Court, in what mode and to what extent it may
 " be expedient to grant a pecuniary compensation for the same;" about which resolution, the Major said, it was true, there had been some considerable difference of opinion.

Mr. GRANT rose to set the Major right. He had himself expressly declared, that he did not approve of any of the resolutions, and had not voted on any; consequently the first had not passed *unanimously*.

The MAJOR referred to the minutes of the Court, from whence it appeared, that the first resolution was stated to have passed unanimously, though there had been considerable difference of opinion about the second.

Mr. GRANT explained.

Mr. IMPEY admitted, that Mr. Grant did object *in limine*.

Mr. GRANT said a few words further in explanation.

Mr. JACKSON again hoped, that when the motion was given in to the Court of Directors, it would be published for the information of the Proprietors.

Mr. HENCHMAN observed, that when the subject was agitated in May last, he and his friends had expressed their wishes that the opinion of the Court of Directors had been taken by the General Court, previous to the Proprietors at large voting any resolution. He hoped that in the report to be laid before the next General Court, the opinion of the Directors would be declared, as he knew many of the Proprietors governed their votes on a ballot, in a great measure, by the judgment of their Directors, who very naturally were supposed to be more competent to decide, as they had better information than could fall within the reach of the Proprietors in general.

The CHAIRMAN said, it was clear from the papers read that day, what was the opinion of the Court of Directors, viz. that they were ready to draw for the money, if his Majesty's ministers knew of no legal objection to it.

Mr. GRANT said, he certainly concurred in obeying the orders of his constituents, without inquiring into the right or wrong of the question on which those orders were founded. That was another matter, on which he entertained his own opinion, and had acted accordingly.

cordingly. The Directors, in the case of carrying the resolutions of the General Court into execution, acted *ministerially*, and the declaration of their individual opinion by no means appeared to be necessary.

Mr. JACKSON supported Mr. HENCHMAN, and reminded the Chairman, that he had with great earnestness objected to the Proprietors at large doing any thing before they had been favoured with the opinion of the Directors upon the subject. Had that course been pursued, he was persuaded none of the difficulties that now occurred would have presented themselves. The resolutions having been voted by the General Court, by no means shut out the Directors from declaring their opinions, and what had passed on the subject since the Court of the 29th of May, made it more than ever to be desired, that the Directors would some way or other let their opinions be known to the Proprietors.

Mr. R. THORNTON (a Director) said, that since the 29th of May last, the matter in question had somewhat changed its appearance, and did not stand exactly the same as it at that time did. The opinion then entertained was, that the carrying the resolutions into execution was a matter to which no doubt could attach on the score of legal objection. Was the case the same now? In consequence of the Directors having thought it necessary to take the opinion of counsel on the matter, and to apply to his Majesty's ministers to know if they were aware of any legal objection, several legal doubts had been stated, and the Directors had been informed, that if they carried the resolutions into execution, it might be attended with some risk to their private fortunes, as they might have to refund every shilling they advanced. Surely the Proprietors would

not with the Directors to be losers, or to do any thing illegal, in consequence of the vote of a General Court confirmed by a ballot. Having themselves decided upon the subject, and the opinions of counsel having been since taken, if the Directors were called on for their individual opinions, he should think they were rather unreasonably treated.

Mr. R. JACKSON again said, that the Directors were by no means precluded from giving their opinions; on the contrary, the circumstances which had taken place since May last made it more than ever to be desired that they should do so; at the same time they certainly were not compelled to declare their opinions, if they were unwilling to state them.

Mr. HENCHMAN repeated his declaration, that a number of Proprietors were anxiously desirous of knowing the sentiments of their Directors, as their votes would in a great measure be guided by them.

The Chairman and Major Scott said a few words more, after which the subject was dismissed.

Wednesday, October 14, 1795.

A General Court was held for the purpose of taking into consideration the following resolutions, which Mr. Alderman LUSHINGTON had sent the Court of Directors information he meant to move in the General Court to be held on that day, viz.

I. " That

I. “ That this Court observe with great concern, that their resolutions of the 2d and 3d of June, with respect to the payment of the law expences incurred by Warren Hastings, Esq. in the late impeachment, and for granting him an annuity, as a reward for his services to the East India Company, have not been carried into effect.

II. “ That the Chairman and Deputy Chairman be requested to wait upon the right honourable the Chancellor of the Exchequer, and to express the earnest wish and request of this Court, that he will be pleased to concur in the resolution which relates to the said law expences.

III. “ That the Chairman and Deputy Chairman be requested to wait upon the right honourable the Commissioners for the affairs of India, and to express the earnest wish and request of this Court, that they will be pleased to grant their assent to the payment of the annuity voted by this Court, as a reward for the important services rendered to the East India Company by Warren Hastings, Esq. late Governor General of Bengal.

IV. “ That the Chairman and Deputy Chairman be requested to communicate to this Court, as soon as may be convenient, the answers which they may receive from the right honourable the Chancellor of the Exchequer, and the right honourable the Commissioners for the affairs of India, on the subject of the preceding resolutions.”

Mr. DAVID SCOTT, Deputy Chairman, took the chair in the absence of Sir Stephen Lushington, who was prevented from attending by indisposition.

The minutes of the preceding Court were then read over, and the correspondence between the Chairman, Warren Hastings, Esq. and

Mr. Pitt, Chancellor of the Exchequer, read short by the common consent.

Mr. Alderman LUSHINGTON, after apologizing for his absence, prefaced his resolutions already printed, by stating, that it was quite unnecessary to go over the ground which had been so ably trod, by recounting the public merits of Mr. Hastings, which would now be as tedious as a tale twice told. He should be contented to reserve himself for a defence of his motions, if, unhappily, they should chance to be attacked. He was free to confess, that, by using the term “concern,” he did not mean to say, that the Directors had acted improperly; he meant merely to express his grief at any delay, which he did not believe owing to any reluctance in the Directors.

The first resolution having been read, and seconded by Captain Paul,

Mr. RANDLE JACKSON objected to the words of the resolution, and particularly to the word “concern.” In his opinion the Directors had acted wisely in proceeding with caution, and in taking care, that by any inadvertent conduct on their parts they should not lay the ground of future difficulty and embarrassment, which might be productive of disagreeable consequences to the Company, and perhaps of risque and disgrace to themselves. Mr. Jackson thought there was no necessity for using a word in the resolution which was liable to be misconceived, and that it would answer every purpose wished, if it were altogether omitted, and the mere fact resolved, viz. “That it appears to this Court, that their resolutions of the
“ 2d and 3d of June, with respect to the law expences incurred by
“ Warren Hastings, Esq. in the late impeachment, and for granting
“ him

“ him an annuity, as a reward for his services to the East India Company, have not been carried into effect.”

Mr. TWINING agreed with the suggested amendment, and thought the word “ concern ” not only unnecessary but inapplicable. So far from feeling concern at the delay, which had arisen from the caution of the Directors, he thought their conduct to be highly useful and meritorious, and for that reason wished the amendment suggested might be adopted.

Mr. GRANT did not rise to object to the expression “ great concern,” as susceptible of an improper application to the Court of Directors, but to observe, that having formerly voted against the resolutions in favour of Mr. Hastings, and remaining unchanged in his opinion, he could not now, with consistency, concur in a motion which declared concern that those resolutions were not carried into effect. In saying this, however, he thought it right to add, that in the whole of the present business he had acted for himself only, taking no impulse from others, and seeking to give no impression in any quarter where the decision of this matter might be supposed to rest. It had been thought by some, that when he opposed the grant to Mr. Hastings, he should have assigned his reasons. He did not, however, conceive this to be necessary, because the case of Mr. Hastings was not now a new case—most men had made up their minds upon it—and he, viewing the first resolution as a call for certain donations to Mr. Hastings, thought himself at liberty expressly to refuse his assent to such donations, without explaining the reasons which might, in his judgment, render the concession of them improper. He begged leave further to add, that he had no personal enmity to Mr. Hastings—in the few instances in

which he had occasion to transact with him in the course of his services abroad, he had been treated by him with liberality ; he hoped, also, he knew how to appreciate what he should take the liberty to call the better parts of Mr. Hastings's character ; neither did he act from party motives of any kind ; he had no share in bringing forward, or carrying on the late prosecution, either in India, or in England ; he was no advocate for the length of that prosecution ; in a word, had he been only a private Proprietor, he would have chosen to avoid taking any part in this business ; but having the honour of being invested with the character of a Director, he thought that he was thereby charged with a general care for the interests of the Company, and that he could not divest himself of that charge when he quitted the room in which the Directors met ; that thus situated, a cause in which he had never thought to interfere had at length come to him, and forced him to speak. So called upon, he had no alternative but to refuse his consent to the acts proposed in favour of Mr. Hastings, not so much from any consideration respecting the fortune of that gentleman, or even the magnitude of the sums proposed to be given him (though on each of these heads he had specific objections,) but that these grants, and the votes whereby they were conveyed, went to give a sanction to the administration of Mr. Hastings, to which he was very far from being able honestly to say that he thought it entitled. He thought, indeed, quite otherwise, and most of all objected to such a sanction, because it would have not only a retrospective, but a future effect ; it might operate hereafter in the minds of other servants of the Company ; and it would certainly, if accorded, descend to posterity, reflecting, as he conceived, a false light on the character of the administration in question.

Mr.

Mr. LUSHINGTON, in his reply to Mr. Jackson, repeated his assertion, that it was not his meaning to cast the most distant reflection either upon the Directors or his Majesty's ministers, nor did he believe, when the Proprietors said they observed with " great " concern" that their resolutions in favour of Mr. Hastings had not been carried into effect, they said more than was precisely the case; at least he would declare for himself, that he felt very serious concern on that account; he would, therefore, put his motion as it stood, unless some more solid objection than he had yet heard, should be stated. With respect to the remark of Mr. Grant, that the present and late proceedings of this Court would have a prospective and a retrospective effect in India, God forbid (added Mr. L.) that it should not; I mean that the conduct of the East India Company towards Mr. Hastings should not less mark their gratitude to him, than it will hold forth to all future governors this salutary conviction, that while on great and emergent occasions they make the welfare and the safety of the empire their principal object, we will not basely desert them. Occasions did arise during the administration of Mr. Hastings, in which, by a cold and phlegmatic discharge of his official duty he would have lost India. Such occasions may arise again; and if, for adding above two millions a year to your revenues, if, for preserving the empire of India to you, which his Majesty's ministers have repeatedly declared he did, you leave him to be involved in utter ruin, from the means which he took to defend those acts to which you owe your safety and prosperity, will any man ever serve you again from any other motive than a cold attention to his own interests? India was not acquired, nor preserved, nor

can it in times of danger be maintained by a cold discharge of official duty.

The question being put upon the first resolution was carried, Mr. Grant only holding up his hand against it.

Mr. LUSHINGTON then rose to move the second resolution, viz.

“ That the Chairman and Deputy Chairman be requested to
 “ wait upon the right honourable the Chancellor of the Exchequer,
 “ and to express the earnest wish and request of this Court, that
 “ he will be pleased to concur in the resolution which relates to the
 “ said law expenses.”

Upon this resolution likewise, the Alderman said, he flattered himself, he need not intrude on the time of the Court. The great and important services of Mr. Hastings had been acknowledged repeatedly by that Court, and by the Directors ; and as it was evident that those services arose from the public acts of his government, which had been made the subject of a seven years prosecution by impeachment, the expences that had arisen in consequence of that prosecution, ought undoubtedly to be paid.

In the course of the ample as well as equally unnecessary and tedious discussions that the subject had undergone, the accusers of Mr. Hastings had urged every thing to aggravate what they were pleased to term his high crimes and misdemeanors ; and most especially they had been loud in charging his government with tyranny and oppression. For a moment supposing Mr. Hastings not to have been acquitted of every charge brought forward against him, was it fair to condemn him for adopting a mode of government more vigorous and strong than the government which British subjects lived under in this

free

free country? Political writers had laid it down as a maxim, that the government of a country, to be permanent and secure, must be adapted to the manners and customs of the people who live under it, and that in some parts of the globe it would be impossible to preserve a due degree of authority, or to maintain the public tranquillity, unless the strong hand of power was perpetually held out, and frequently exercised. That sort of observation, experience had proved, applied with peculiar justness, in a certain degree, to the East. All the governments of the native princes of Asia over their subjects were despotic and arbitrary. It would, therefore, have been in the highest degree impolitic and unwise in Mr. Hastings, as soon as any new acquisition of territory was made, to have relaxed all at once, and all together, from the ancient mode of government, to which these new subjects had uniformly been accustomed under their former rulers, and most especially to have acted without a necessary degree of vigour and coercion with those princes and chiefs, who were bound by treaty to pay for protection from the British government in Indostan. But Mr. Hastings had not only preserved, and extended our dominions; by his reforms in the civil government, and his success in that of the military, he had increased the revenues of the Company above two millions annually. That increase the Minister for India had reckoned upon, and stated to the House of Commons year after year as an advantageous addition to the amount of the Company's revenues; the House of Commons had acknowledged it accordingly, and the act of 1794, which declared the public participators of the surplus of the East India Company's income from their territorial revenues, had been passed by the legislature on the express grounds of a public recognition of that additional increase of income,

and

and an asserted and enforced claim to a part of it, on behalf of the people of Great Britain. No fact was more clear than this, that by the acts of Mr. Hastings he added more than two millions to the annual resources of the state. Nor could any fact be more clear, than that by those strong measures which he took he saved India, and that by no other means could India have been preserved. Was there a man in the nation, then, who doubted of his right to payment of expences, and reward for meritorious services, or thought such a servant of the Company and the public ought to experience the horrors of a jail towards the close of his days? Mr. Lushington was confident there was not. But the manner of doing the thing, and not the thing itself, was objected to; the privilege claimed by the Company of paying law expences now, as they always had done hitherto, had been questioned, and had drawn very curious opinions from the Attorney and Solicitor General and Mr. Bearcroft. But with all his respect for those gentlemen, he must say, that they had not ventured boldly and fairly to examine the case before them. With regard to the opinion of Mr. Bearcroft, it was cold, lukewarm, and undecided; in short, it was evident he had been afraid to look the principle of the proposition submitted to him in the face. In the Attorney and Solicitor General's opinions there was much refinement and abstruse reasoning, rather calculated to increase the puzzle of the case, than to clear obscurity and remove the difficulty. The subtle distinction taken by the law officers of the crown, could not, he was confident, have obtained for one moment, without producing a confusion inexpressible in the management of the Company's affairs. It was this, that the legislature meant by the late act to make all charges incurred in India payable in India, and all charges incurred at home

payable here ; consequently the expences incurred by Mr. Hastings having been incurred in India, must be paid from those revenues. Mr. Lushington urged many reasons for believing that this was not the true construction of the act. If it were settled, that the money were to be paid in India, Mr. Hastings would necessarily be entitled to Indian interest, which would considerably increase the sum ; and the moment the payment was thrown upon India, his Majesty's Board of Commissioners must have a voice in this payment, as well as in the grant of the annuity. To that, Mr. Lushington said, he had not the smallest objection ; for he was so confident in the justice of the cause which he supported, that he had no sort of objection to submit the decision of it to the King's ministers, and therefore he was ready to follow the sense of the Court upon the subject ; but this he must repeat, that the great lawyers were afraid to look the *principle* in the face, and by their doctrine the Directors were not competent to disburse a single shilling without the approbation of the Board of Controul.

Mr. Lushington then read his second motion, and said, their unanimity that day would, he trusted, ensure success to the object they had so much at heart. His Majesty's ministers could have no wish to resist the voice of the East India Company, in a point where the public so cordially agreed with them.

Mr. TOLFREY said, as solicitor to Mr. Hastings in India, he had seen many acts of his wisdom and generosity as a statesman. At one time he paid a very large sum of money out of his own pocket, to satisfy the demands of some of the natives against other natives ; a dispute which, had it not been for the liberality of the Governor General, might have produced a civil war. Such actions

as these had very much reduced his private fortune. But if these, and a thousand such acts of public and private benevolence remained to this hour unknown, it was, he said, owing to that modest concealment which greatly enhances, if it does not exclusively create the whole merit of the act. It shews, that united to the more splendid and captivating parts of Mr. Hastings's character, he was one of those who

“ Do good by stealth, and blush to find it fame.”

Mr. Tolfrey next entered into a very long eulogium on Mr. Hastings's administration in India, and gave it as his opinion, that had it not been for him, instead of possessing additional dominions, and an increased revenue, as was the case at present, we should probably not have had an inch of territory there. It was a silly distinction made in the opinions of the Attorney and Solicitor Generals, which said, that the law charges ought to be paid in India from the territorial revenues, and not from the Company's funds at home ; for he argued, that if paid at all, they must ultimately come out of the Company's funds, whatever might be the place and mode of paying them. He lamented the obstructions thrown in the way of the resolutions by his Majesty's servants, and thought it extremely hard, that after justice, though lamely and slovenly, had carried Mr. Hastings through a seven years journey, she should now be suffered to uplift her crutches, and threaten to knock him down for the want of money to pay his expences on the road. Mr. Hastings was now paying fifteen pounds a day in the very interest of his law charges ; the travelling expences, therefore, would
take

take up as many years in payment. It could not be said that Mr. Hastings was acquitted, unless his law charges were paid for him; for an expence of 71,000*l.* was a penalty beyond what had commonly been levied on the greatest of criminals. In the last century the great state culprit Lord Bacon had only been fined 40,000*l.* and the Earl of Middlesex, for his offences, 30,000*l.* yet their fines had been remitted, and very large pensions settled upon them; and it was unfortunate for Mr. Hastings, that he did not live in a time when culprits were so liberally rewarded. Mr. Dundas could not resist an appeal to his humanity, when he had formerly declared in the House of Commons, that he had to thank the Proprietors for thwarting his motion for the recal of Mr. Hastings, since he had been the means of saving India. The paying of law charges was no new matter, and he instanced the case of Mr. Law, one of the Patna Council.

Mr. LAW rose and confirmed Mr. Tolfrey's assertion. As a member of that Council at the time alluded to, he had been included in the prosecution instituted against them in India, for their public acts, and upon which they had been convicted and fined. That decision, it was true, was appealed from, and reheard in the House of Lords, when the judgment had been reversed.

Mr. TWINING thought highly of Mr. Hastings, and that he ought to be rewarded; but excessive reward would rather injure than increase the fame of which he had ever been so fond—he should be for paying the law charges, but was against an annuity, which Mr. Hastings might not live, perhaps, long enough to enjoy—it would then devolve to those who could not possibly have

any claim upon the Company. He was, therefore, for limiting it to the life of that gentleman. Another matter struck him, viz. the amount of the annuity. In the course of the discussion in May last, a statement of the fortune and circumstances of Mr. Hastings was made, and an account given of the amount of Mr. Hastings's annual expences since his return to England, which, according to that report, did not exceed 3,000*l.* a year. To what end, if the annuity was meant with a view to enable Mr. Hastings to live comfortably and consonant to his own wishes, was the annuity to exceed 3,000*l.* a year?

Mr. RANDLE JACKSON thought the motion improperly framed, and particularly deprecated the idea of calling upon Mr. Pitt for his opinion. He contended, that the business had been improperly pursued by the eagerness of Mr. Hastings's friends, and that they had occasioned all the difficulties. The motions should have originated with the Directors, and not from among the Proprietors; and he thought it might be a dangerous precedent, if a number of any gentleman's friends were to come into that Court, and vote away the money of the Proprietors at large. But he did not mean to insinuate that the personal friends of Mr. Hastings, who were in such numbers about him, acted from improper motives: he believed, on the contrary, that they acted from the best of all feelings, those of affection and gratitude; and he felt himself particularly obliged to bow to the measures under consideration, as they had been voted by a former Court. The best way of proceeding would be, to apply to Parliament for its authority to pay the money out of the funds of the Company; indeed, it ought to be applied to for the purpose of saving the law charges paid by the

public. In that case, instead of asking Mr. Pitt's concurrence as Chancellor of the Exchequer, the better way would be, to ask his support of the motion in the House of Commons. The first he could not grant with propriety, as it may be supposed to affect his Majesty's revenue, of which he was the guardian; but the second he might with great propriety, as a member of Parliament, agree to. He (Mr. Jackson) always thought the Directors should have been referred to in the first instance, as to the means and extent of the reward: he was against an application to Mr. Pitt on a measure which, if illegal, he must negative, and if legal, does not want his consent. Mr. Jackson said, his own opinion inclined to a different line of conduct from that suggested by the resolution, and was likely to be more successful. The Attorney and Solicitor Generals might fairly be supposed to speak the sentiments not only of the Chancellor of the Exchequer, but of the Commissioners for the affairs of India; at least, it was not very likely that they should act in opposition to the opinion of the law officers of the crown. Why not, then, take advantage of that opinion, and pursue the path it pointed out? Why not, instead of abandoning their privileges, and prostrating themselves before the minister, go directly to the Commissioners for India affairs, frame a resolution founded upon the opinions of the Attorney and Solicitor Generals, and present it for their consent and approbation, according to the form prescribed by the constitution of the Company? That constitution required the Commissioners to give their opinion in fourteen days, otherwise the measure would be carried into execution *sub silentio*; or if they put their negative upon it, a constitutional application to Parliament would be just as open to Mr. Hastings's friends as at

present, and could not possibly be prejudiced by such previous proceeding. Such line of conduct would be equally candid and creditable; it would in a manly way mark their earnest wish to reward Mr. Hastings for services undeniably meritorious and valuable to the Company, and would manifest their respect to government, and their readiness to conform to that mode of proceeding, which the law officers of the crown suggested to be safe, prudent, and practicable. Mr. Jackson professed his belief that the Commissioners would consent; spoke in very handsome terms of the feeling and benevolent temper of Mr. Dundas; and said, that impressed with this idea, he had drawn up an amendment, which he would submit to the judgment of the Court, and which was as follows:

“Resolved, secondly, that it is the opinion of this Court, that the said law expences may become a charge upon the revenues in India, and be paid with the consent of the Commissioners for the affairs of India.”

Mr. Jackson's amendment was seconded by

Mr. HENCHMAN, who said, that the business of the day was opened with a motion, expressing their concern that the resolutions of that Court, in favour of Mr. Hastings, of the 2d and 3d of June last, had not been carried into effect—for his part, he could not help expressing his concern on another account, viz. that so much time had been so unnecessarily consumed in studied eulogiums on Mr. Hastings—that could not be of any service to the cause of Mr. Hastings. It was admitted, he might almost venture to say unanimously, that he had great merits, and that he had rendered important services to the Company; and there was hardly a man in the Court, he believed, that required to hear those panegyrics

gyrics to induce him to agree, that those services ought to be rewarded. But he confessed that he did not exactly concur with the motions brought forward by his friend Mr. Alderman Lushington ; he saw in them something veiled or masked ; there appeared to him in the second and third of the resolutions a disposition, though not expressed, to relinquish the privilege of the Company—so strongly contended for at the former Court—the power of indemnifying Mr. Hastings, without reference to any other persons whatever. He would ask the honourable Alderman, did he mean to do this, or did he not ? He said he must conclude that he did (Mr. Lushington appeared to assent) and he thought he did wisely ; but he could have wished his motion had plainly and fairly expressed as much, for he really thought that the privilege was not worth contending for ; he sincerely believed they were better without it, and so must every proprietor who holds his stock only for the fair income it will produce him ; such men must wish to preclude every set of Proprietors from being able to come down to that Court and vote away any considerable part of the funds of the Company without the consent of the Board of Controul. Men of that description would not regret any check upon their expenditure, any additional power there was to enforce œconomy ; and they might, he thought, be assured that the Commissioners for India would never withhold their consent to indemnify the injured, or to reward the meritorious. Gentlemen who had read the opinions of the Attorney and Solicitor General, must see what would be the event of a contention for this privilege ; his Majesty's ministers would, if it were necessary, bring a bill into Parliament to take it from them, and that even before they could pay what they had voted as an indemnity to Mr.

Hastings

Hastings for his law expences ; and considering the great stake which the public hold in the affairs of the East India Company, he thought they would be well justified in so doing ; he would therefore prefer acceding to the opinions of the Attorney and Solicitor General, and pass a resolution of the tenor recommended by his friend Mr. Jackson. His amendment expressly agreed, that the law expences might be a charge upon the revenue in India, and made it the request of that Court that the Commissioners for the affairs of India would give their consent to the payment. He confessed that he was the more inclined to this amendment, because it made their application to his Majesty's minister fall in its proper place, that is, as one of the Commissioners who are by law appointed the guardians of the interest of the public in the Company. With all possible respect for the Chancellor of his Majesty's Exchequer, he thought it might be a bad precedent, and it would be going out of their way to make a separate application to him on this occasion. It had been truly observed, that he is entrusted with the care of superintendence of the public purse, but he did not conceive that the purse of that Company was the public purse ; nor was the Chancellor of the Exchequer known to the Company as an officer of separate controul over them.

Mr. Henchman thought the motions were precipitated by the personal friends of Mr. Hastings ; and he was particularly unwilling to assent to them, as the Court of Directors had given no opinion on the subject. He repeated and urged this so much, that

The Deputy CHAIRMAN (Mr. D. Scott) rose to explain, that the matter had never properly come before the Court of Directors,
and

and therefore they had not had any occasion to give an opinion upon it; but, with regard to himself, he had such a high sense of the services of Mr. Hastings, that it was his opinion his law charges ought to be paid by the Company.

Sir FRANCIS BARING declared himself highly sensible of the meritorious services of Mr. Hastings, but with regard to the resolution then proposed, he had doubts whether it was legal; or whether the Board of Controul could sanction the Directors in paying the expences of Mr. Hastings, supposing that legal obstacles really existed. If it were meant to smoothe the path to Parliament, and Gentlemen thought that ultimately application must be made to the legislature for a bill, to remove the difficulty in which they found themselves at present involved, he should lament exceedingly, because in the course of his experience of the Company's concerns, he never recollected them to have gone to Parliament, but the consequence was, they came out of it mutilated, weakened, and injured.

Mr. INGLIS said, he was perfectly ready to declare his opinion, that the services of Mr. Hastings had been in the highest degree meritorious, and that the Company were bound to pay his law expences by every principle of gratitude and justice. Though not called upon to speak his sentiments respecting the resolution to grant the annuity, he said, he had not the smallest difficulty in avowing, that considering the essential advantages the Company had derived from the active and able government of India by Mr. Hastings for so many years, the granting him an annuity adequate to the dignified station he had filled in their service, and the rank it entitled him

him to hold in society, was equally for the honour of Mr. Hastings, and the honour of the Company.

Mr. Alderman LUSHINGTON said, he accepted Mr. Jackson's amendment, although he thought, if there was any abandonment of the privileges of the Company, those privileges were as much abandoned and given up by the amendment as by his motion. But he perfectly agreed with Mr. Henchman, that if by going to the Board of Commissioners, or the Chancellor of the Exchequer, they did relinquish a privilege of the Company, they did wisely, and relinquished a privilege not worth holding. As he was ready to adopt the amendment proposed, he trusted that all difficulties would now be removed; that if there should after all be a necessity of going to Parliament, he would propose that this Court should go with a strong petition, stating the long, faithful, and important services of Mr. Hastings, and laying before Parliament a very particular account of the nature of those services. He declared himself not to be obstinately wedded to the form of his resolution, and perhaps the amendment might be more accommodable, and please those who might not be contented without interfering, and were jealous because they had not *a finger in the pye*; but he must repeat, that if his motion could be charged with trenching upon the privileges of the Company, the amendment was equally liable to the same imputation.

Mr. IMPEY (son of Sir Elijah) followed with a long and warm encomium on Mr. Hastings, at the length and expences of whose trial he expressed much regret. He was against altering, and strenuous for enforcing the original motion. As to the further measures that might be proposed to enforce their resolutions, it

seemed that the Court had their choice of two only, either applying to the Board of Controul, under the act of 1793, or applying to Parliament to enable them to do what they deemed so just and equitable. He did not object to the former mode; at the same time he could not avoid expressing his apprehension, after what had passed, that they should finally be reduced to an application to Parliament. Of the expediency of such an application he would not anticipate the discussion; but he could not help remarking a seeming inconsistency in what fell from Mr. Jackson on a former occasion, and what he had urged in the course of the present debate. When the matter was last agitated, he was as strenuous in advising an application to Parliament, as he was that day in deprecating it.

Mr. Impey said, if Parliament must finally be applied to, he rejoiced that the first application was made there; for he could not conceive that they had, in any degree, disgraced themselves by attempting to do an act of justice, to which they had proved incompetent; and now no member of the legislature could turn Mr. Hastings round and say, “Go to the East India Company, they have profited by your administration, and the acts for which you have been tried; let them indemnify you.” The question of indemnity or no indemnity must be fairly met; and he could scarcely persuade himself that, at such a period as this, either the minister or the legislature would choose to hold it out to the world, that such a trial without an indemnity was the natural and genuine fruit of the British constitution.

There was only one topic more on which he wished to trouble the Court, and which furnished, in his opinion, one of the strongest motives to the zealous enforcement of their resolutions; he meant the actual state of Mrs. Hastings’s pecuniary affairs, as it was

lately communicated to their honourable Chairman, under the most solemn sanction.—The accuser of Mr. Hastings made no scruple of declaring that he was convinced, upon evidence perfectly satisfactory to his mind, he could not be worth less than three millions sterling; and Mr. Impey said, he had frequently heard calculations made by those who speculate idly upon the affairs of others, that his annual expences since his arrival in England, could not be less than 10,000*l.* Yet, upon inspection, they saw how widely these accounts differed from the truth; they saw that he had been so strictly, and he must say to him surprisingly attentive to œconomy, that his annual expences in this country had not exceeded, upon an average, 3,500*l.* and so far from possessing three millions, that he had been compelled to recur to private credit for his support; nay, even this resource would probably have been unequal even to his disbursements, had he not been assisted by the noble and disinterested generosity of those gentlemen in India (whose names, he hoped, for the interest of virtue, would not be withheld from the public) who were attentive to supply him with the means of a comfortable subsistence, while his enemies were straining every nerve to deprive him of it.

The character of Mr. Hastings, Mr. Impey observed, was too well known for any man to suspect him from shrinking from personal difficulty or suffering; that he had exhibited himself to the world, during the course of a life beset with difficulties, and more especially during his late trial,

As one in suffering all, who suffers nothing;
A man, who Fortune's buffets and rewards
Has ta'en with equal thanks.

Yet

Yet this man, to whom they owed all they possessed ; a man unused to sue, and who, he would be bold to say, would not be induced by any motive merely personal to himself, to sue for any thing ; this man now supplicated them to discharge, on the score of generosity, that debt which they confessed to be due to him in justice : it was not for himself he supplicated ; it was not to avoid distress and penury in his latter days, but to avoid the bitter reflection, that his friends, his faithful and affectionate friends, had been partakers in his ruin.

Mr. Impey concluded with saying, that when he took this view of the subject, he could not, for an instant, entertain so mean an opinion of the members of that honourable Court, he could not believe them so regardless of their duty, their interest, and their honour, that they could turn their eyes to those rich and flourishing provinces, in which, in their public votes, they acknowledge to owe their wealth and prosperity to Mr. Hastings ; which, in their public votes, they acknowledge to have been preserved by him from the utmost inevitable perdition ; that they could see the revenues of those provinces, the fruits of Mr. Hastings's labours, flowing in full streams into their treasury, and replenishing the exhausted resources of Britain ; and that they could afterwards bear to contemplate the man by whom all these benefits have been poured upon them, pining in want, or driven perhaps into exile from his ungrateful country. He said, their interest called upon them as loudly as their honour, to exert their utmost endeavours for the enforcement of their resolutions ; for, if they should prove ineffective from their listlessness, and any unforeseen emergency should hereafter arise, calling for similar zeal, abilities, and exertions, to those of

Mr. Hastings, to save their foreign possessions from impending destruction, who would wonder if all zeal were extinguished, all exertions paralyzed, by the recollection of such ingratitude? If such an emergency should arise, and they should owe their ruin to the treachery of their servants in India, who could blame those unjust stewards who made themselves friends of the mammon of unrighteousness, when the reward of faithful services had been impeachment and confiscation?

But, Mr. Impey said, he should raise his mind to better hopes; and trusted their empire in the east would long be secured to them by their wise munificence to him who had already preserved it; and it would long remain happy, rich, and flourishing, by their wise munificence to him to whom it owed its present wealth, happiness, and prosperity.

Major SCOTT said, he would only detain the Court to say a word in consequence of what had fallen from two honourable Gentlemen, as to the legal expences incurred by Mr. Hastings. The Gentleman who spoke last, after stating very forcibly the oppression which any individual must suffer who had been seven years on his trial, had concluded, that the enormous expences incurred by Mr. Hastings was owing to the duration of the trial. *This* he could assure the learned Gentleman was not the case; he then held all the accounts in his hands; he brought them to the Court that they might be inspected, if any Gentleman had the curiosity to look at them. The fact was, that however oppressive the continuation of the trial year after year might have been to Mr. Hastings, the expence was not occasioned by that circumstance, but by the magnitude of the accusation. Let any Gentleman read
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the articles of impeachment, and he would see that they embraced every important act which occurred in the government of an immense empire for thirteen years. Where the Managers would begin, how much of the immense matter forming the articles they would insist upon as criminal, or how much they would abandon, could neither be known by Mr. Hastings nor his counsel. They were to be ready to repel the attack in every point; consequently a very great expence indeed was occurred before the trial began; and had it suited the Commons and the Lords, or if the strength of the human mind and body could have enabled them to have sat one hundred and forty-eight days (the number of days employed on the trial) in a single session, the expence to Mr. Hastings would have been the same. When acts by which the Company and the nation had reaped such important advantages were brought forth as crimes, though acknowledged by that Court to be meritorious, Mr. Hastings and his counsel were bound to defend them; and he was confident, that when gentlemen weighed fairly the volumes of accusation to which he had to reply, they would applaud the zeal and ability which had been displayed by his counsel and solicitors, and every idea of the charges being enormous would be done away.

Mr. R. JACKSON rose to reply to the charges of inconsistency imputed to him by Mr. Impey; who accused him of having earnestly cautioned the Proprietors at a former Court against going to Parliament, on account of the difficulty and danger of getting a bill through the two Houses, without having some clause or other injurious to the Company's interests fastened upon or introduced into it; whereas he had that day talked of resorting to Parliament, as the only effectual means of curing the difficulty and removing

the dilemma in which the business was involved ; and had recommended his amendment on the ground of its being likely to render the application practicable, and to secure the end they all had in view. Mr. Jackson said, it was true such had been his conduct, but he utterly denied that it in any degree warranted the imputation of inconsistency. He had deprecated the going to Parliament in the first instance, because he thought it highly impolitic and unwise, and always to be avoided, when it could be done without, concurring, as he did completely with Sir Francis Baring, that the Company scarcely ever went into Parliament without coming out of it mutilated and injured. But as all his earnest endeavours at a former Court to recommend a different mode of proceeding had proved of no avail, and thinking that the business ought to have originated with the Directors, as well as that all the difficulty they now experience would in that case have been avoided, the proceeding was wholly changed, and he felt it incumbent on him to recommend, in case the Commissioners for the affairs of India should refuse their consent, what he had in the first instance deprecated, because he considered an application to Parliament as the only constitutional way left, by which the Company could hope effectually to extricate themselves, and be able to accomplish what the ballot had determined to be the wish of the Proprietors, viz. to reward Mr. Hastings for his long and meritorious services.—Mr. Jackson next proceeded to notice the manner in which Mr. Lushington had been pleased to signify his acceptance of his amendment, and who had charged it with surrendering the privileges of the Company. Did it ? Disgrace then (added Mr. Jackson) be upon the man who dared to insult the Court with bringing forward an amendment

liable

liable to so gross an imputation ! He ought to be branded with infamy for having presumed to propose it, if such were its character ; and could any such imputation be supported, he would hide his head with shame, and own a consciousness, that he ought never to take the liberty of calling for attention in that place again. It was clear that Mr. Lushington thought his amendment merited contempt, or he never would have treated it with such language as to say, the acceptance of it might accommodate those who wished to have *a finger in the pye*. If his having proposed an amendment was thought to have originated in any officious wish on his part to meddle or interfere in the motions of the day, and that it did not spring solely from an anxious desire to prevent the Court from adopting a measure at once disgraceful to the spirit of the Company, and highly injurious to its interests, by unnecessarily surrendering its privileges, it ought to be rejected, and rejected with indignation. He disdained the acceptance of his amendment on any terms short of those of an admission of its honour and advantage to the Court, and the Proprietors in general. Sure he was, that the original motion laid the privileges of the Company at the feet of the minister, without any occasion to warrant so dangerous a measure. Equally sure he felt himself, that his amendment did no such thing ; it gave up no privilege, it relinquished no right. It only tended to conciliate those, who being adverse might render an application to Parliament of no avail, and whose countenance might ensure success.—Mr. Jackson concluded a most animated speech with further arguments in maintenance and support of his assertion, that the amendment he had proposed did not in any degree trench upon the privileges of the Company.

Mr.

Mr. IMPEY, in explanation, observed, that he only meant to say, that Mr. Jackson had in the former debate earnestly cautioned the Court against applying to Parliament, and that he had that day recommended an application to Parliament, but had certainly assigned a strong and sufficient reason for altering his opinion, viz. that the circumstances of the case had considerably changed since the subject had been first agitated in that Court.

Sir FRANCIS BARING rose again, he said, to express his opinion, that if the motion passed with the proposed amendment, it would be necessary for the Directors to take further legal advice. He did not see how the costs of Mr. Hastings incurred by his defence against the articles of impeachment tried in Westminster Hall, could be rendered payable out of the revenues of Bengal. The expence clearly originated in England, where then was the propriety of paying them in India ?

Mr. Alderman LUSHINGTON said, what had fallen from Mr. Jackson rendered some reply from himself necessary. He did assure that Gentleman he meant not to treat his amendment with the smallest disrespect, much less to give occasion for such an indignant animadversion as he had thought it necessary to deliver. His motion had been charged with a breach and violation of the privileges of the Company, but conscious as he was, that it was no more liable to such an imputation than the proposed amendment, he had defended it on that ground. With regard to any opprobrious terms that he had applied to the amendment, he was not conscious that he had used any. For want of a better phrase at the moment, he had said that the amendment might accommodate those who might wish to *have a finger in the pye*. The phrase might be familiar and even inelegant,

inelegant, but he could not consider it as offensive, nor had he expected that it would be so taken. In fact, he had no idea of aiming it at the Gentleman who proposed the amendment, but looked still higher, namely, at the Board of Commissioners for India, who might think their opinions were slighted, if, by some means or other, they were not made parties in the proceeding. Had a happier and less objectionable phrase presented itself to his imagination, he certainly would have chosen it in preference. With regard to the amendment, he adopted it cordially, because it appeared to him to be much more likely to render the solution of their difficulty practicable and easy.

The motion was then settled by Alderman Lushington, Mr. Jackson, and the Company's counsel (Mr. Rous) and agreed to.

The following was also framed, put, and voted.

Resolved, " That the Chairman, and Deputy Chairman, be requested to wait upon the right honourable the Commissioners for the affairs of India, and to express the earnest wish of this Court, that they will be pleased to concur in the payment of the law expences of Mr. Hastings, and in granting an annuity to him agreeably to the resolution of this Court."

It having been understood between the Proprietors and the Gentlemen behind the bar, that a Court should be called as soon as they received an answer from the Board of Controul, the Court adjourned.

G E N E R A L C O U R T .

[Made *special* at the requisition of nine Proprietors.]

Wednesday, December 16, 1795.

Mr. HENCHMAN said, he wished to put a question to the Chairman on a subject which had very materially interested the Proprietors in general. He desired to know what had passed relative to the resolutions of the General Court, held on the 14th of October, relative to Warren Hastings, Esq. since that Court.

The CHAIRMAN expressed his readiness to satisfy the Court, if it was their sense that he should state the proceedings that had since taken place.

This being signified to be the general wish of the Court, unless there were secret reasons on the part of the Chairman to preserve silence; and the Chairman having declared there was no occasion for secrecy, he stated, that in pursuance of the resolutions of the Court held the 14th of October, he had, accompanied by the Deputy Chairman, attended the Board of Commissioners for the affairs of India, a few days afterwards, for the purpose of communicating the resolutions of the General Court, so earnestly expressing their wishes for the payment of the law expences of Mr. Hastings, and the grant of the annuity; that he had since received a letter from Mr. Hastings on the subject, dated the 20th of October; and that the Court of Directors had come to a resolution upon it, both of which were ready to be laid before the Court, and after they had been read, he

would

would state what had passed since between the Board of Commissioners and himself.

The letter was read accordingly, and was as follows :

To the Honourable Court of Directors for the Affairs of the Honourable United Company of Merchants of England trading to the East Indies.

Park Lane, November 20, 1795.

Honourable Sirs,

IT is with great reluctance that I offer to trouble your Honourable Court with my own personal concerns, which, I learn with regret, have already engaged too much of your valuable time. But I hope I shall stand excused, if it shall appear that the matter which I have now the honour to lay before you, has for its object and tendency the removal of a part of any difficulties of which I have been the subject, not the augmentation of them.

Of the causes which have hitherto obstructed the execution of the resolutions passed by the General Court of Proprietors on the 2d and 3d of June last, I am yet ignorant ; of one only excepted ; for the knowledge of which I am indebted to the provident care and candour of your worthy and respectable Chairman, namely, the belief entertained by persons of high rank and honour, that the state of my fortune was not such as to require that the intended provision should be made for it. This consideration, as applied to the increase of a fortune already enormous, would have been a valid objection, but not as I presume to my indemnification for expences incurred by no fault of mine, but by my defence not more of my own than of the national honour ; for the same guilt, if it had been established, would

have equally attached to the receipt and possession of ill-acquired property, as to the means by which it was obtained. It was not then, however, the time to make the distinction; and I answered the reference made to me by your Chairman, by a full exposition of the state of my fortune and debts, shewing, that the latter greatly exceeded any amount which I could reasonably hope to realize by the disposal of the former; affirming it by the pledge of honour, which he required for its authentication, and by a voluntary appeal of the most sacred nature for the truth with which it was delivered.

My answer has been laid before your Honourable Court, and published for the information of the Court of Proprietors, agreeably to my request; for which I beg leave to offer my warmest acknowledgments.

If the little effect which this declaration had produced could be construed as an indication of the general opinion, I might be sufficiently mortified by such an implication of the charge of falsehood and perjury, added to that of corruption and venality, implied in the first imputation. But, against such a conclusion, I am defended by assurances and testimonies which force their credit upon me, that the minds of the public in general (I need not include those of my respectable constituents) are decidedly favourable to me on this as well as on other parts of my character. Nevertheless, as I have submitted to this test, and it has failed in its result, I wave my claim to every benefit of it; and still referring myself to your generosity, and that of my employers, but on a very different ground, I shall limit the application, which I have now the honour to make to your Honourable Court, to the simple plea of right.

I have

I have acknowledged, in terms infinitely short of the gratitude which I feel, my obligations to the great body of the Company, my employers, for their generous assumption of the debt due to me for the ruinous expences which have attended my impeachment, and for the liberal reward which they were pleased to assign me, by their subsequent resolution, for my services. By this last act alone, all the hopes which have animated me in a long, arduous, and laboured service, have been abundantly consummated. I have received by it from them all that they could bestow, by this declaration of their sense of my deserts. Of this possession no power on earth can deprive me; nor is it possible to rate it higher than I do in that construction of it. More I desire not. The law has placed the power of confirming or rejecting the substantial effect of this grant in the right honourable the Commissioners for the affairs in India. It would be presumption in me to say, that I am ready to give up my right to that, which those, who may think differently of my pretensions from the East India Company, may never have had it in their contemplation to allot to me: but excluding it wholly from my own, I may allowably, and do confine my present application to a point which is essentially different, the full payment of the legal expences of my trial. To that, and to that alone, I beg leave most earnestly to solicit your attention and interference.

In my defence against a voluminous series of accusations, making up the charge of impeachment against me for the various acts, and even services, of my administration of the affairs of the East India Company in Bengal, I have necessarily incurred an expence which has swallowed up the worth of my whole substance, and involved me considerably in debt. All that I require is, that, as my acquit-

tal (the only instance of the kind in the annals of this kingdom) has proved my innocence, I may be indemnified from the consequences of the charge.

In the printed paper mentioned in my correspondence with Sir Stephen Lushington, the amount of my legal expences was stated at 71,080/. I did not foresee, at the time that this was drawn up, the use that was afterwards made of it, or it is probable that I should have endeavoured to render it more accurate; for on a subsequent examination of it I have found it to be deficient in more than 4000/. and at this time, by the growing interest upon it, the amount has swelled to something more than 76,000/.

Whenever your Honourable Court shall be pleased to require it, I will lay before you the original accounts of my solicitors, containing all the particulars of my expences, no part thereof having been laid out by myself.

Besides these, I have been put to other incidental but unavoidable expences, which were occasioned solely by my prosecution, and which I have unjustly sustained, if I was unjustly accused. Yet I am told that, as these are not such charges as the law would allow to pass under the head of legal costs, I cannot properly lay claim to a repayment of them. If such is the law or the usage, I submit to bear the loss. Yet I must think, and I repeat it, that if I was innocent of the crimes which were laid to my charge, I ought not to be a sufferer by any necessary consequence of that charge; nor is the loss which I have sustained on this account trifling, having amounted all together to more than 22,000/.

I beg leave, Honourable Sirs, to obviate one misconception of what I have advanced on the subject of my expences, by disclaiming
any

any right of charging them to your account, or to that of the Company. You did not impeach me. You imposed no necessity of incurring heavy expences upon me. On the contrary, I gratefully acknowledge that, in one instance, you have relieved me from a very heavy charge, which would else have attended my prosecution, in the liberal allowance which you were pleased to grant me of copies of all official documents which I might want for my defence, extracted from the Company's records. Much less can I forget my obligations to your Honourable Court, for they ^{very} ~~much~~ effectual aid, which my defence received from the unanimous thanks which you were pleased to bestow upon me immediately after my return from India. This sanction stamped on my services, I with pride and pleasure exhibited as an important evidence in my defence in Westminster Hall, and thereby implicated your credit in my acquittal. Yet it is only through the channel of your Court, or (as it has been generously opened to me) through that of the Company at large, that I can assert my claim to an indemnification. I forbear, through respect (perhaps my ignorance were a better plea) to say to whom I *can* charge it. Yet on whomsoever the charge as an obligation may lie, I am most assuredly entitled to it somewhere. This is a right which (as I humbly conceive) does not depend on the variable construction of any written statute, but on the immutable principles of justice. I will not trouble you with a detail of arguments in support of it: these may be summed up in a very few words. As my acquittal has proved my innocence, I ought not, in justice, to suffer by the consequence of my impeachment. As the articles of that impeachment related almost wholly to acts, by which large profits have accrued to the public, without any blame attached to them, I might claim :

claim something more than indemnity. But all the return that I demand for them is, that I may not be punished for having performed them. Of other services I speak not: they do not appertain to this subject.

As my claim is at this time before your Honourable Court, I hope I shall not be deemed too intrusive in this exposition of the grounds on which I presume to build it. As an old servant of the Company, to whose service all that I ever possessed of active life has been wholly devoted, I hope I may allowably plead for a larger indulgence, and to throw myself upon your protection, and to request that you will have the goodness to interest yourselves in my behalf, in whatever way your wisdom may direct, so that I may obtain the redress which I solicit. I would not be importunate; and I am sure it is as foreign from my desire, as it is from my interest, to urge any thing that may offend: but if it can be, I pray you to obtain for me a deliverance at least from my present state of suspense: that in any event I may take such means as may be yet in my power to extricate myself from the daily augmentation of my personal difficulties; and that I may be just to others, whatever measure may be dealt to me.

I have the honour to be,

With the greatest respect,

Honourable Sirs,

Your most obedient,

And most faithful servant,

WARREN HASTINGS.

P. S. I hope, Honourable Sirs, that nothing which I have said, as to the nature of the accusation, or the event of my trial, will be construed

construed into a reflection upon the Honourable Body which instituted the proceeding. Complaints of grievances always seem to imply accusations. My complaint is not of men, but of causes, which have operated with a different, but irresistible force on all men concerned in it. Many of your Honourable Court were members of the last House of Commons; you must, therefore, well recollect, that not only in that House, but in Westminster Hall, it was repeatedly asserted, that this was less my trial than that of the East India Company and the British nation, whose justice and honour were equally involved in it. It became unavoidable from the reiterated allegations, which, for years preceding, had been made and credited, of abuses and oppressions exercised by the governments of India. It was instituted for the express purpose of rectifying those abuses in one event of it, or of proving that they never had existence. My acquittal has proved that they did not exist. It has retrieved the honour of Great Britain. It has confirmed the right of the Company, and of the nation, to those advantages which were at all times admitted to have been obtained by my measures; and it has demonstrated beyond all argument the purity of that great assembly, which could resolve to hazard such a sacrifice of the national wealth and strength, in which they themselves had so near a concern, to the superior calls of national justice.

WARREN HASTINGS.

At a Court of Directors held on Wednesday the 2d of December 1795.

A LETTER from Warren Hastings, Esq. dated the 20th of November last, and read in Court the same day, was now read.

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The following particulars were also read, viz.

The General Court minutes of the 7th of November, 1783;

The 41st paragraph of the general letter to Bengal, dated the 9th of December, 1784;

Minutes of this Court of the 28th of June, 1785, and the General Court minutes of the 2d of June and 14th of October, 1795.

The following motion was made, viz.

“ The Court of Directors having taken into their consideration
“ the letter from Warren Hastings, Esq. dated the 20th of November, wherein he urges the Court for a speedy determination and
“ reimbursement of the expences which he has incurred in his defence at the bar of the House of Lords, on the several charges im-
“ puted to him, relative to the administration of the affairs of the
“ Company in India under his government, of which charges he
“ has been honourably acquitted;

“ The Court are decidedly of opinion, that Mr. Hastings ought
“ to be reimbursed by the Company for the whole amount of the
“ law charges incurred by him in his defence, on every principle of
“ equity and justice.

“ But as the General Court have expressed their opinion, that
“ the law expences may become a charge upon the revenues in India, and be paid with the consent of the Commissioners for the
“ affairs of India, directing at the same time, that the Chairman
“ and Deputy Chairman do wait on the Commissioners for the affairs of India for that purpose;

“ Resolved, that the Chairman and Deputy Chairman be requested to wait on the right honourable the Commissioners for the
“ affairs of India, and to represent the earnest desire of this Court,

“ that they may be enabled to carry the intention of their constituents into effect.”

And the question on the said motion being put by the ballot, the same passed in the affirmative.

These papers having been distinctly read, the Chairman proceeded to state further, that he had since received a letter from the President of the Board, desiring to see him at that Board, that he had attended accordingly, and that the right honourable President had informed him that the Board had not been unmindful of the subject, but that the resolutions involved many weighty considerations which required further time for deliberation; that he had on Saturday last seen that right honourable Gentleman, and expressed a wish to know the decision of the Board, so as to be able to lay it before the General Court that day; that the right honourable President had said, he would call a Board either on Monday or Tuesday for the purpose, and would communicate their sentiments to him forthwith; the fact, however, the Chairman said, was, that he had not received any message on the subject, and was without a letter to produce.

GENERAL COURT.

Wednesday, February 3.

Lord KINNAIRD expressed how much gratification it would afford a number of respectable Proprietors, to be informed of the sentiments of the Board on the motions lately passed in his favour.

A letter from the Board was read, dated the 13th of January, 1796, which went on both points as to annuity and reimbursement of legal expences, **DECIDEDLY IN THE NEGATIVE.**

The **CHAIRMAN** stated, that feeling for the situation of Mr. Hastings he had had frequent interviews with the Board since the receipt of that letter, and that even that morning he had seen Mr. Dundas, who had expressed in the handsomest terms the high opinion he entertained of the constituent and executive body ; he, Mr. Dundas, for his own part, was inclined to relieve Mr. Hastings, and would consult his colleagues upon the subject ; the Chairman had no doubt but something would be done, but what shape it would take he was not prepared to explain.

G E N E R A L C O U R T .

Wednesday, February 17.

AFTER the question on the Directors' report on the subject of shipping was finished, Lord **KINNAIRD** rose, and said he wished to detain the Proprietors for a few moments while he asked the Chairman, if the hopes which he had given the Court at their last meeting were likely to be soon realised, and if Mr. Hastings had a near prospect of being relieved from his embarrassments.

The **CHAIRMAN** said, the point in question was not settled ; but he had the pleasure to inform the Court, that it was in a very fair train ; and, if the Court and Mr. Hastings would wait a very
little.

little time, he trusted that every thing would be concluded to their satisfaction.

Mr. Alderman LUSHINGTON then rose, and said that the declaration from the Chair had given him very great pleasure. That, sensible as he was, in common with the Proprietors, of the many eminent services rendered to the East India Company by Mr. Hastings, he could not without extreme pain reflect upon the present state of that Gentleman's affairs, which, both from sentiments of justice and gratitude. they were bound, by every means in their power, to relieve. That, though he had the firmest reliance on the zeal of the Court of Directors in the cause, and particularly of the two honourable Chairmen, who were in more immediate habits of communication with the right honourable Gentleman who presided at the India Board; yet, as so full a court was now assembled, he did conceive the sentiments of such a Court might serve to add force and strength to the applications which might be made from behind the bar. Without further preface, therefore, he would make a motion, which was in substance, “ to acknowledge the high sense
“ the Court entertained of the important services of Mr. Hastings,
“ the title he had to expect relief from the Company, and earnestly
“ to press that relief might be speedily granted to him.” Half a dozen gentlemen rose on the instant to second this motion.

On the question being put, it passed unanimously.

G E N E R A L C O U R T .

Wednesday, March 2.

THE Chairman, Sir Stephen Lushington, said, he was happy to announce that a resolution of the Court of Directors, granting an ANNUITY to Mr. HASTINGS of 4,000*l.* for the period of TWENTY-EIGHT YEARS AND A HALF, to commence from June 24, 1785, and payable for that period to his heirs and executors, had been CONFIRMED by the Right Honourable the Board of Commissioners for the affairs of India.

The Chairman having inclosed the resolution to Mr. Hastings, he wrote the following reply :

To Sir STEPHEN LUSHINGTON, Bar.

SIR,

Park Lane, March 5, 1796.

I HAVE had the honour to receive your letter of yesterday's date, with the copy inclosed of a resolution of the Honourable Court of Directors of the 26th ult. for granting me an annuity of 4,000*l.* for the period of twenty-eight years and a half, commencing from the 24th of June, 1785; and of the concurrence of the Right Honourable the Board of Commissioners for the affairs of India.

I accept with the deepest sense of obligation this new instance of the benevolence of the Honourable Court, and request that you will do me the favour to convey to them my most grateful thanks for it. At the same time I thankfully acknowledge the receipt of the first
portion

portion of the annuity: and, with respect to the remainder, I hope, I shall not be thought to trespass upon their goodness, if I beg leave to represent to them, that the state of my present circumstances is such as must compel me to anticipate all the future payments of it, to discharge the heavy debts in which I am involved, and with the nature and extent of which they are already in a great degree, but not wholly, acquainted: that I should be sorry to depreciate their bounty, and certainly not willing to sacrifice any part of its substantial value, which must inevitably be the case in any disposition which I could make of it: and that, therefore, I shall esteem it a considerable addition to the obligation already conferred upon me, if they will have the goodness to transmute the whole, or part of it, to such a sum in ready money as they may deem equivalent, effectually to relieve me from my embarrassments.

I should not venture to ask this further indulgence, did I not conceive myself in some degree warranted by the terms and specified purpose of the letter which I had the honour to receive from you, dated the 17th of September last, and by my answer of the 22d of the same month.

I make this reference, not as a ground of claim, but excuse; and to shew, that it is not so much a new favour which I solicit as the completion of what I conceive to have been the intention of the past.

I have the honour to be, &c.

WARREN HASTINGS.

After the receipt of the preceding letter the Directors were further pleased to vote, that they would lend Mr. Hastings the sum of 50,000l. without interest, for eighteen years.

CONGRATULATORY LETTERS.

THE news of the acquittal of Mr. Hastings arrived in Calcutta, by the Lord Thurlow Indiaman, in the month of September, 1795, and was received with universal pleasure.

A meeting of the British inhabitants of Calcutta was convened on the 19th of September, and the following congratulatory address was unanimously agreed to, and signed by three hundred and twenty-six of the principal British inhabitants in Calcutta.

SIR,

THE inhabitants of this settlement, on your departure for Europe, having in the strongest terms expressed their sense both of your public administration and private conduct, during the long period in which you presided in India, we feel it no less incumbent on us now to offer to you our warmest congratulations on your acquittal of all the charges that were preferred against you in England.

We cannot but admire, Sir, the patience, fortitude, and resignation, with which you have borne a trial unexampled in its length, and a scrutiny into character, motives, and actions, the most strict and minute that ever was instituted. But, upheld by conscious innocence, you have given an example of your reliance on the justice of your cause, which, we doubt not, will carry conviction

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to the world and posterity, equal to the verdict of the illustrious tribunal before which you have appeared.

An acquittal, under such circumstances, we must consider as honourable in the highest degree to yourself, as well as demonstrative of the impartial justice of our country. It is also peculiarly gratifying to us, as it confirms, and, if it were possible, it would strengthen, those sentiments which we never ceased to entertain of you.

Permit us to add, Sir, our cordial wishes, that your remaining years may be many, and accompanied by a felicity that may compensate for the loss of those benefits and comforts of which you have been so long deprived.

The following congratulatory letters were also transmitted by the several divisions of the Bengal army, and presented to Mr. Hastings by the undersigned officers.

To WARREN HASTINGS, Esq.

SIR,

WE have been honoured by the selection of our brother officers in India to be the medium of offering to you their congratulations on the honourable issue of the most extensive and rigorous examination ever instituted into the conduct of one man; and we feel particularly happy in having this opportunity afforded us of adding our own congratulations to this anticipation of the judgment of posterity from
those

those who had the nearest means of observing your measures, and of estimating their wisdom by their effects.

We have the honour to be,

With the greatest esteem and respect,

SIR,

Your most obedient humble Servants,

RICHARD SCOTT,
JAMES BURNETT,
JOHN ASHWORTH,
JOHN SALMOND.

London,

March 30, 1796.

To WARREN HASTINGS, Esq. late Governor General of Bengal.

SIR,

RELIEVED from a long and painful anxiety respecting the event of your unmerited prosecution and trial, the officers and staff at this station indulge the warmest sentiments of their hearts in congratulating you on your honourable acquittal.

Having been ever fully impressed with the highest sense of your merit, they cannot but rejoice that your character, after the severest investigation, has been so amply and so honourably justified.

All Europe must now join with them in acknowledging the wisdom and justice of those measures, which, by conciliating the minds of the native powers, ensured success to those exertions you so happily

pily employed, to the preservation of the British empire in the East, against the united efforts of the most powerful enemies.

Accept, Sir, this heart-felt congratulation, as a small tribute to your merit, and a sincere testimony of the regard and esteem with which they have the honor to subscribe themselves,

Your most faithful and

Devoted humble Servants,

(Signed) G. JOHNSON, Lieut. Col.
and 51 officers and staff of the
garrison of Chuna Ghur.

Chuna Ghur,
October 5, 1795.

To WARREN HASTINGS, Esq.

S I R,

THE officers and staff of that part of the Bengal army at present stationed at Futty Ghur, would deem themselves deficient in gratitude for the steady support afforded to their claims, and the warm regard invariably manifested for the honor and prosperity of the army in general, during your administration of the British affairs in India, should they not embrace the earliest opportunity of presenting to you their sincere congratulations upon the honourable termination of the long and rigorous scrutiny which has been instituted into your measures and conduct, during a government of thirteen years, and under the constant pressure of multiplied difficulties and dangers.

While

While they testify their inexpressible satisfaction at the result of an inquiry which will transmit your name to posterity with deserved and unfading lustre, they cannot but feel a very particular self-gratulation, on finding their own sentiments of your wisdom, zeal, and important public services, confirmed by the almost unanimous verdict of the most respectable tribunal upon earth, and the general voice of the nation.

May you, Sir, long live in the enjoyment of your well-earned fame, and in the perfect possession and further public exertion of those eminent talents which have acquired such extensive and permanent advantage to your country !

We have the honour to be,

With the greatest esteem and respect,

SIR,

Your most obedient and most humble Servants,

WILLIAM POPHAM, Colonel,
and 68 officers and staff.

Futty Ghur,

October 3, 1795.

To WARREN HASTINGS, Esq. late Governor General of Bengal.

S I R,

WE, the officers of the division of the Bengal army stationed at Cawnpore, impelled by a grateful remembrance of the many obligations we owe to your late administration, and our ardent admiration
of

of your private character, press forward to offer you our sincere congratulations on your late honourable acquittal.

During a trial, which, for severity of scrutiny, and intolerable procastination, is without example in the annals of the world, we have beheld you, Sir, patient and magnanimous, deporting yourself in a manner becoming the favour of British India. Our solicitude was great, but we had no fear of the issue, though we feelingly lament the precious years that have been lost to the public, which might otherwise have been employed in the service of the state, at a period as interesting and momentous as your trial has been afflicting and unprecedented.

May the remainder of your life, Sir, be long and happy ! and we hope that this grateful tribute from a body who have been witnesses of the brilliant acts of your dignified and meritorious administration will descend, with the name of *Hastings*, to posterity, as a token of the veneration and esteem in which we have ever held your character, and as a proof of the respect with which we are,

SIR,

Your most obedient, and very humble servants,

JOHN FORBES, Colonel,

And 106 officers and staff.

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The following Address from the Officers of the Bengal Army, stationed at the Presidency of Fort William and at Barrackpore, was brought over by Major RATTRAY, of the Bengal Artillery, and was presented to Mr. HASTINGS by that Gentleman, Colonel DUNCAN, and Captain ASHWORTH.

To WARREN HASTINGS, Esq.

S I R,

THE officers of the Bengal army bearing in their remembrance the wisdom, moderation, and justice of your administration in India, feel a very heart-felt satisfaction in congratulating you on your late honorable acquittal, by the Peers of Great Britain, from charges brought against you by the House of Commons, and supported by men of the first abilities in the nation.

The energy and severity with which you have been for so many years prosecuted, the magnanimity and fortitude you have shewn during your trial, and in declining to solicit support, even when all the power and abilities of your native country seemed combined against you, place you in a point of view the most envied, the most honourable; for your enemies have raised a monument to your fame, on which the justice of your country hath recorded the integrity of your mind, and the propriety and necessity of your public conduct. May the gratitude of the community you have so long, so ably, and so faithfully served, be as conspicuous as your merits and disinterestedness have been publicly evinced! May your Sovereign, by conferring honours upon you, prove the value he has for such a subject, and by doing so, increase the approbation and attachment of a free and generous people!

With us, and with the natives of this country, your name must ever be revered, and with CLIVE's, be handed down with honor, respect, and admiration, to the latest posterity.

We have the honor to be,

With the greatest respect and esteem, SIR,

Your most obedient and most humble servants,

(Signed) CHARLES MORGAN, Colonel,
and 175 officers and staff.

October 1, 1795.

To WARREN HASTINGS, *Esq. late Governor General of Bengal.*

SIR,

WE, the officers and staff of the military station of Dinapore and its dependencies, impressed with heart-felt gratitude for former favours, embrace the earliest opportunity to congratulate you upon the very honorable termination of the most vexatious, tedious, and unmerited prosecution recorded in the annals of history.

Long may you live, Sir, an ornament to that nation which will, at length, unblinded by prejudice, be fully convinced of the ample support and benefit it received from your administration in India; and will, no doubt, do justice to that exertion, ability, and patriotism, which, surmounting every difficulty and obstruction, secured these possessions unimpaired to the mother country, although assaulted by the combined powers of Europe and the East.

We are, SIR, with the utmost esteem and gratitude,

Your most obedient and most humble servants,

(Signed) H. BRISCO, Colonel,
and 103 officers and staff.

To WARREN HASTINGS, Esq.

S I R,

THE gentlemen of Fort Marlborough beg leave to congratulate you on an event which they have long expected from the justice of their country, and which they proudly record by unanimous commemoration.

They have remarked, Sir, with admiration, the spirited and manly struggle which you so long maintained in support of your personal integrity, and the dignity of a government, the energies of which are to this moment felt by India, to the remotest extremes of her vast empire. With the sincerest pleasure they at length contemplate the suffrages of a nation united in the vindication of your honor, and a distinguished place assigned in the annals of the world to that virtue which hath passed, unhurt, the ordeal of so many years.

To such high acknowledgment of your merits permit them to add their limited testimony, that your memory will be dear to India; whilst in the happiness which your wise government diffused around it, in the advancement of the arts you patronized, and the progress of the sciences you cherished, mankind shall continue to trace the enlightened politician, the comprehensive genius, and polite scholar.

It remains for them to express their sincerest wishes, that every happiness and enjoyment may await the evening of your honorable life, in the bosom of your country; which, after severe approval of your worth, hath at length been amply, though slowly just.

They have the honor to be, with great respect, SIR,

Your most obedient and most humble servants,

Robert Broff,	John Macdonald,	Charles Day,	A. Brennan,	J. B. Rosindell,
Henry Douglas,	Alex. Monteath,	Robert Bill,	William Parker,	Chas. Hutchinson,
P. Braham,	Robert Best,	Thomas Sturgeon,	Daniel Gillis,	John Turing,
B. Hartley,	W. M. Grant,	Thomas Cudlipp,	John N. Sealy,	Chas. Campbell,
R. S. Graham,	Daniel M'Pane,	James Powell,	Fras. Will. Peirce,	James Bagley,
F. E. Beaghan,	Henry Dunning,	John Campbell,	Edward Bagley,	T. Waters,
Thomas Brown,	Charles Holloway,	John Grigson,	James Mully,	John Braham.
George Barclay,				

Fort Marlborough,

October 20, 1795.

The

The first of the preceding congratulatory letters was transmitted by the government of Bengal to the Court of Directors, and sent to Mr. Hastings by their order, with the following letter from the Chairman and Deputy Chairman, to which his answer is annexed.

To WARREN HASTINGS, Esq.

SIR,

WE have the commands of the Court of Directors to transmit to you the address of the inhabitants of Calcutta, on your late honorable acquittal by the House of Lords; we have great pleasure in obeying these commands, which convey so honorable a testimony of the esteem and affection of so very respectable a body of men, who had such opportunities of appreciating your character.

We have the honour to be with much esteem,

SIR,

Your very obedient humble Servants,

D. SCOTT,

HUGH INGLIS.

East India House,

May 4, 1796.

To DAVID SCOTT and HUGH INGLIS, Esquires,

GENTLEMEN,

I HAVE received the letter which you have done me the honor to write to me, in obedience to the commands of the Court of Directors, with that which it enclosed, and which was addressed to me by the
British

British inhabitants of Calcutta; and I request the favor of you to present to that Honorable Court my most grateful thanks for this additional instance of their goodness. To have allowed it to receive its destined passage through the channel of their official proceedings was, of itself, an indication of their approval of its contents; but they chose to stamp it with the highest consequence, perhaps, that they could give to it, when they entrusted its transmission to the charge of their Chairman and Deputy; for which I ought to be, and do feel myself, impressed with the deepest sense of obligation. I beg leave, at the same time, to express my particular thanks to you, Gentlemen, for the very handsome and dignified terms in which you have been pleased to execute this commission.

My sufferings have been great, but they have been converted into blessings by the consequences which they have drawn down upon me. My acquittal, though by the highest and most respectable tribunal upon earth, I consider but as an exemption from infamy. It was followed by the declarations of the collective body of my late masters, that I merited positive approbation. The Court of Directors added the most honorable and impressive testimony to that judgment. My fellow countrymen, both civil and military, of that establishment, whose interests were, during a course of many years, committed to my charge, have repeated the same sentiment; and the former have indirectly appealed to that Honorable Court for the confirmation which it had already given of it.

I have yet a further debt of gratitude to acknowledge to the Honorable Court of Directors for the loan of fifty thousand pounds, which they have generously granted to me, in consequence of my late application, which certainly was not made with such an expectation.

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As a relief from distress, I received it with a thankful heart. As an implied effect of the same generous acceptance of my services, I feel a gratification from it of a different kind, and scarcely inferior to the former. I request that you will have the goodness to convey my thanks for this last act of their bounty, which I should have before acknowledged, had not a consideration of delicacy restrained me, while any part of the sum destined for my use, by their orders, remained unpaid. I am this instant informed that the last delivery, of twenty-five thousand pounds, was made this morning, making up, with the first, the complete sum of fifty thousand pounds.

I have the honor to be,

With great respect,

GENTLEMEN,

Your most obedient and most humble Servant,

Park Lane,

WARREN HASTINGS.

May 6, 1796.

The following answers were written by Mr. Hastings to the congratulatory letters.

To the British Inhabitants of CALCUTTA.

GENTLEMEN,

I HAVE now the honor to acknowledge the receipt of your letter, congratulating me on my acquittal of all the charges preferred against me in England.

I return

I return you my most sincere thanks for this instance of your attention to me on an occasion so interesting to my credit and peace of mind ; and for the confirmation which you have joined to it of your former approbation of my conduct during the period in which I held the chief administration in Bengal.

The mode which you have chosen to convey to me this testimony of your good will, claims also my further thanks. Though independent and complete in itself, yet by communicating it through the channel of the Court of Directors, you have given it the effect of an appeal to their justice. It was transmitted to me by their commands, in a letter signed by their Chairman and Deputy Chairman, expressive, in the most honorable terms, of their accordance with the sentiments which it contained.

To a man, whom a strange fatality has involved, through the course of a long official life, in an unremitted struggle for the means of discharging with effect the duties of his station, and guarding his reputation from dishonor, declarations of applause and affection from those who stood by position nearest to the seat, or influence, of that authority in which he so long participated, and whose operations he, in a great measure, directed, are of more worth than any that wealth and honors, united, could yield. Such, I can truly affirm, they are in my estimation of them.

You, Gentlemen, have many claims of old to my regard. There was a time in which even the authority of my public office derived a considerable support from the influence of your good opinion of the manner in which it had been exercised. The knowledge of your sentiments publicly and authentically expressed on the day of my departure

parture from Calcutta, contributed largely to support my credit with my countrymen at home, when, but for this, and similar aids, it must have sunk under the pressure of accusations heaped upon me without number, and yet unrevoked, in the name of the most revered body upon earth. These are personal benefits which I must ever remember with a grateful heart: nor is the impression made upon it by the prompt and ardent zeal which you have ever manifested to co-operate with the government itself, in seasons of great exigency, less deeply marked, though blended with an esteem arising from a more disinterested consideration.

When I parted, in the year 1785, from that community to which I had attached myself by an intercourse of many years, and by various relations, my heart sorrowed for the separation, but consoled itself with the hope, which a conscious reflection of a long, a well-intended, and a successful service, entitled me to indulge, that I might still devote what remained of the active portion of my life to the advancement of your welfare, with that of the state on which it depended. I have been disappointed, and have painfully, though patiently, borne the disappointment. Yet, has it not been wholly unprofitable. The voluminous evidence produced in the course of my long trial has incidentally brought to light many of the virtues of my countrymen and fellow servants in India, which would otherwise have remained sunk in obscurity: it has, in a great measure, removed the prejudices which had been excited against them, and shewn them deserving of the love and respect of their brethren at home, for the firm regard which they have shewn to their common interests; for the candor and simplicity of their manners, and the gentleness and

moderation with which they have generally, and almost individually, demeaned themselves towards the native inhabitants of the provinces dependent on the British dominion, over whom the ascendant of the national character is scarcely less prevalent than the power with which it is, in many instances, officially associated. Those virtues, while they tend to promote the duration of that dominion, by binding it on willing minds, reflect, at the same time, a credit on the British name, and give to their possessors a double title to the affection of every man who bears it.

In the many different occupations which I have filled in India, from my early youth upwards, I have had more opportunities of knowing the general character of my countrymen resident in it, but more particularly in the provinces of Bengal, than almost any other man; and I dare to pronounce, as I would if called upon before the judgment seat of heaven, that in the sentiment and practice of the two best affections which constitute the bond of society, namely, public spirit and generosity, they are not surpassed, if equalled, by any people upon earth. I might appeal to a very recent instance of both, if it were necessary to display to you the exhibition of your own deeds; and God forbid that my countrymen, if ever this writing should come to their knowledge, should want a monitor to remind them of their benefactors, or to awaken in their breasts the sentiments which are due to those who feel for their distresses, and manifest a solicitude, without the profession of it, to relieve them!

To the Almighty Disposer of human events, I humbly and fervently offer up my prayers for your prosperity, for the prosperity of the British empire in India, and for the ease, content, and happiness of

the native inhabitants of it, who have a more immediate and indispensable claim to its protection!

I have the honour to be, with the most grateful and indelible attachment,

GENTLEMEN,
Your much obliged,
Most obedient, and
Faithful Servant,
WARREN HASTINGS.

To Major General CHARLES MORGAN.

London, June 13, 1796.

S I R,

BY one of the ships which sailed for India in the course of the last month, I addressed to you a short letter, acknowledging the receipt of one which I had the honour to receive from yourself, and the other officers of the brigade at the Presidency; expressive, in terms the most flattering and honourable to me, of your participation in the joy of my acquittal of the charges preferred against me by the Commons of Great Britain, and your sense both of my public conduct, and regard to the general rights and interests of the service, and of the army in particular. To similar addresses from the officers of the military stations of Cawnpoor, Futteghur, and Chunaghur, I also wrote letters of acknowledgment in the same terms as that which I wrote to you; and addressed them to

Colonel Forbes, Colonel Popham, and Lieutenant-colonel Johnson, the officers commanding those stations respectively; reserving myself for a future reply, with the aid of more leisure, by the subsequent dispatches. I could not suffer the first ships to depart without making some declaration, however imperfect, of the sense which I felt of these testimonies of the benevolence of men, whose professional characters stood so high in my estimation of them, and in their claims upon my regard for their past exertions in the service of that administration, over which I many years presided. Nor could a few words, suggested at the instant, satisfy my mind, which felt itself impressed with more than even the most laboured language could utter. Yet whatever the heart may conceive, it is only by the common forms of speech that its conceptions can be adequately rendered. Mine has but one mixed sentiment for this occasion; the sentiment of affection and gratitude. This is all that I can express; and this I request you to make known, in whatever mode may be the most regular, to all the officers whose names are subscribed to the letters of congratulation which I have already received, and to such others (for such I am assured there are) as may have been since transmitted for the same purpose.

Upon this occasion, I cannot but remember with augmented satisfaction, the general address which I received from the officers of the army upon the Bengal establishment, some months after my departure from India. That act, after a lapse of more than ten years, which have passed over my head with circumstances the most degrading to me while they lasted, you, Gentlemen, have now authenticated by the repetition of your former assurances, not delivered merely in the form of a deed of common acquiescence,

but

but marked as the positive and distinct sense of every division of the army residing on the same spot, and uniting to form the terms of it. Such a testimony, while it glorifies its subject far beyond the lustre of artificial distinctions, reflects at the same time the highest credit (if I may say so much upon a point in which I have so near an interest) on those who have delivered it; and proves, that neither length of time, nor the influence of causes which have commonly governed the judgment of mankind, have had any power, either to change the opinions which had grown on theirs from the effect of their own experience and observation, or to lessen the effect of those opinions on their fixed attachments.

Much as I owe for these unexampled demonstrations of the goodwill of the gentlemen, to whom, through your channel, I now address myself, yet it is not by this consideration alone that my gratitude or attachment is bounded. I owe much to them for whatever degree of reputation the world may be pleased to allow me. It has been my boast, and though repeatedly proclaimed, even on that ground on which the most laboured efforts were made to blast my good-name, it has never been contradicted, that in the course of an administration of thirteen years, and in periods of more than common difficulty, I never joined in the formation of any military operation, which did not ultimately succeed in the complete attainment of its destined, or a better purpose. It might be permitted to me to arrogate some little merit to myself for having discerned and applied, in the discharge of a great national trust, the ample means which I possessed in the talents, prowess, and enthusiastic ardor of those, whose services I had the power of calling into action.

Therefore

Therefore it was that the measures which I could call my own were invariably successful.

Among the numerous accusations with which I have been heavily charged, it was one, that I rashly precipitated the Company's interests, and even safety, into situations of unequal danger. And true it was, that if I had had but common instruments to work with, I should have thought as they did who laid that guilt to my charge, because they knew not, that no enterprize was too great for men, who possessing, in common with their brethren of these kingdoms, the virtues of courage and honour, joined to a professional knowledge, wrought by constant practice to perfection; men whose daily habits, even to their amusements, were military, and who regarded every service in which they engaged, as their own.

In our community it has sometimes happened, as in the best it must, that parties have been formed, which have unhappily divided men's affections with their opinions, from each other. But no instance has ever yet occurred, in which the interests of their state were threatened with external danger, that did not unite all hearts and hands in the same common cause, and in one determined and confident resolution to maintain it against what power foever might assail it. This observation comprizes both branches of the service, the civil equally with the military; and too highly do I estimate the spirit and liberality of the latter, to fear that I may displease them, by ascribing to the former this participation in those qualities which constitute the true basis of public virtue. It is to these energies, and to this bond of union, that Great Britain is indebted for her Indian empire. May the same spirit ever animate every corps, and every department of that service, to the same honourable and prosperous

spacious exertions ; and may their parent state more and more know, and knowing, love and cherish those virtues, from which it has derived so many and great benefits, and on which it depends for their duration and improvement !

I have the honour to be,

With the most affectionate attachment,

S I R,

Your most obedient and faithful Servant,

WARREN HASTINGS.

*To ROBERT BROFF, Esq. Lieutenant Governor, and the other
Gentlemen of Fort Marlborough.*

London, August 14, 1796.

GENTLEMEN,

I HAVE had the honour to receive your letter, and grieve that the last ships which might have carried out my acknowledgment of it, had it arrived a very few days earlier, are now on their way to India : but I feel myself impressed with too strong a sense of obligation for its contents to lose a day in preparing it, however distant the means of its conveyance may be. I shall not attempt to express what no power of words can describe, the sensations of surprise, pleasure, and gratitude, which I felt on the receipt of such a testimony of the approbation and esteem of gentlemen of such consideration, and to every one of whom I am personally unknown : nor were these the only sentiments excited by it ; whatever

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I may be, however deficient in those deserts which might entitle me to so distinguished an honour, yet your motive proceeded from a source of generosity blended with the purest streams of public virtue, such as I am proud to think could only flow from the hearts of my own countrymen; at least, I have never heard or read of similar instances in the annals of other nations. I must admire and venerate such an effect of such a principle, even if I had no interest in its application.

I will not, however, so far undervalue your act, as to disclaim all pretensions to the benefit of it. My own conscience will allow me to lay claim to as much merit as can belong to the best intentions, and those wholly exempt from every selfish view, which could stand in competition with the general interests which I held in trust, though not without a gratification in the present approbation of my own mind, and in the hope of the future applause of my own country, and of the native inhabitants of that over which I presided.

Accept, Gentlemen, my most sincere and grateful thanks for this honourable pledge of your regard, and my most fervent wishes for the prosperity of your establishment, and for the happiness of every individual composing it.

I have the honour to be,

With the most respectful acknowledgment,

GENTLEMEN,

Your greatly obliged, and

Most obedient humble Servant,

WARREN HASTINGS.

ADDRESSES AND TESTIMONIALS.

TO complete this publication the following papers are inserted. The address from the British inhabitants of Calcutta was presented to Mr. Hastings on the day of his departure from Bengal. The address from the army was transmitted to him after his departure from Bengal. The testimonials from the natives were transmitted by Lord Cornwallis to the East India Company, pending the impeachment, and were laid upon the table of the House of Commons, and are upon their Journals, as also in the evidence given in Westminster Hall.

To the Honourable WARREN HASTINGS, Esq. Governor General.

S I R,

WE, the British inhabitants of Calcutta, impressed with real concern at your departure from India, intreat your acceptance of this public tribute, in testimony of our general satisfaction in the whole tenour of your long administration, and our lasting sense of your many patriotic exertions.

For a series of years, we have uninterruptedly enjoyed, under your government, the blessings of private comfort, and public tranquillity, and no one can recollect a period, wherein impartial justice, political wisdom, and a liberal attention to the rights of individuals, were more eminently conspicuous.

We have seen you in many of the most critical situations to which political life can be exposed. In none of these have we perceived you

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to deviate from the dignity of your station, the integrity of your character, or the vigour of your public conduct : in every vicissitude you have been provident and collected ; and whilst you have proved yourself invulnerable to insurrection, you have equally displayed yourself superior to calumny.

The grand outlines of the connection, by which this country is united to Great Britain, have been, under your auspices, precisely ascertained, and its continuance decisively secured. The unwieldy system of the double government has been reduced to order and simplicity. The administration of civil and criminal justice, instead of a burthen on individuals, or an engine of corruption, has under your prudent reformation become a blessing to ten millions of people. Arts have been uniformly patronised. The channels of communication between ourselves and the natives have, by your liberal encouragement, been opened, and our settlement has increased to a degree of magnitude and splendour, which evinces the wisdom of your measures, and the mildness of your government.

While the rest of India looked up to you alone for their preservation from the distractions of war and the desolations of famine, we have enjoyed an uninterrupted plenty and security ; blessings which, while we continue to possess them, we shall never cease to remember were procured for us by your spirited measures, which have raised upon the most solid basis the superstructure of public happiness.

May that happiness, and every other, be secured to you during the remaining period of your life, which can arise from the possession of unfulfilled virtue, and the consciousness of unremitting labours for the good of society ; and may you be blest, on your return, with the brightest reward a patriotic mind can court, the applause of your sovereign,

vereign, and the gratitude of a country to which you have proved yourself so illustrious an ornament.

We have the honour to be, Honourable SIR,
Calcutta, Your most obedient, humble Servants, &c. &c.
February 1, 1785, Signed by 290 persons.

To WARREN HASTINGS, *Esq.*

SIR,

SOON after your departure from Bengal, it was resolved, at a meeting of officers at the Presidency, that an address to you, as Governor General, should be signed, and forwarded by the first safe conveyance: and the officers were pleased to make choice of us to send forth the copies for signatures, to receive them when signed, and to send them to you afterwards.

The original consists of eighteen copies of the same address, which were sent in duplicate to the several military stations. We received all back except two duplicates, and from the complete set two notorial copies have been made of the address and the signatures of the whole.

We have now the honour to send to you one notorial copy, together with a copy of our circular letter.

We shall, by the ships of the season, forward the other notorial copy, and the set of originals of sixteen, together with notorial copies of the other two; and we shall lodge in the hands of Colonel Pearse the complete set of originals, to be ready in case of accidents to these, and ultimately to be forwarded to you, unless the set of originals first sent should happily arrive; in which case he will send the two which now we deem it necessary to keep by us, to prevent

losing the means of conveying to you the sentiments of our brother officers, if needful, hereafter.

We beg leave to assure you, that we receive the greatest happiness from having been chosen to be the agents of so respectable a body of officers, and hope the share we have had in promoting the wishes of our friends and constituents will prove acceptable to you. We are,

With the highest respect, SIR,

Your most obedient Servants,

T. D. PEARSE, Col.

J. MORGAN, Col.

HENRY WATSON,

Lieut. Col. and Chief Engineer.

Calcutta,

August 5, 1795.

*To the Honourable WARREN HASTINGS, Esq. Governor
General, &c.*

SIR,

WE whose names are hereunto subscribed, officers of the Bengal army, with profound respect, and most perfect esteem, take the liberty of addressing you on your departure from amongst us.

Many of us as citizens have already signed the general address, which was projected, prepared, and signed in the short space of thirty hours, and presented to you on the morning of your departure, with the signature of near three hundred of the principal persons of the settlement, to which large additions have been since made, and still are making.

But it was judged, that an address from the officers of the army in their collective capacity, after you had left the settlement, would more fully demonstrate to yourself, and to all the world, how very dear you were to them as soldiers, and afford them an opportunity

portunity of recording the causes of their esteem, by a recital of the events which produced it.

We all know, Sir, either by having seen it, or by having heard it from those who were on the spot, that you have been very near thirteen years at the head of this settlement: that you came to the chair as Governor immediately after the most dreadful calamity that ever befel a people, and found the country much depopulated, the treasury empty, and a most enormous debt contracted: that the plans which you so judiciously laid when Governor, were afterwards carried into execution by the Governor General and Supreme Council, of which you have hitherto been the head, and effected a discharge of the debt, filled the treasury with cash, and restored life and vigour to the country: that during this period, the government was convulsed by jarring interests and unusual opposition; but, nevertheless, you maintained your post with dignity to the State, with honour to yourself, and confusion to the enemies of our country; that the natives, taking advantage of what they supposed a divided government, entered into a confederacy to destroy the influence of the English in India, and to set up that of the French, who secretly promoted the union, and afterward joined in league with them: that all these efforts were baffled, and India preserved to us by your firmness and the vigour of your government, from which an expedition planned by yourself was sent forth, and an army under General Goddard traversed regions unknown from the east to the west of India, and, in spite of the disasters which befel those who were to co-operate, reached the coasts of Surat, and conquered provinces from the powers at war with our nation.

It

It is also well known, that in the midst of this scene of trouble, the French and Spaniards, and afterwards the Dutch, joined to attack us, and were aided by the late Hyder Ally, who, before the Dutch war, invaded the Carnatic, defeated the English in battle, and reduced to his obedience the whole of that country, except Madras and Vellore, and some few paltry forts in the neighbourhood of the Presidency: that when all men considered the state of the Carnatic to be desperate, you rose to rescue them from impending ruin: and though Bengal was threatened with invasions, nobly resolving to meet the enemy at a distance, you sent out two detachments, which gave strength and vigour to the army under Sir Eyre Coote, thereby saved the British possessions in that part of India, and reduced the enemy to conclude an honourable peace without the loss of territory; and lastly, that the armies serving at a distance were paid, fed, clothed, and armed, by the exertions and resources of your government.

Thus, Sir, under your administration, have the united efforts of our numerous and powerful enemies been frustrated; and India, by the conquests there made from the European powers, has afforded the means of redeeming what the nation lost to them in every other part of the globe.

We therefore entreat you to accept this just and grateful tribute of our praises, and our warmest thanks for having opened the paths which led to glory, and afforded to the Bengal army the means of acquiring honour, and of being serviceable to the state at large.

Permit us now, Sir, to express our feelings on your departure. Time, and the contemplation of your illustrious actions, created an
esteem

esteem which is deeply rooted in our hearts ; and our sorrow at losing the man whom we considered as the father of the settlement, is, as it ought to be, great and poignant ; we must therefore seek for consolation in our hopes that you are going to receive those honours and rewards which are due to superior merit ; and with united voice we pray that such may be the event.

Signed by 4 Colonels,
 15 Lieutenant Colonels,
 25 Majors,
 71 Captains,
 324 Lieutenants,
 47 Ensigns,
 71 Lieut. Fire Workers, Surgeons, &c. &c.

Total 557

TESTIMONIALS.

Extract of a General Letter from Bengal, dated November 6, 1788, received by the Ship William Pitt ; and of a General Letter from Bengal, dated January 9, 1789, received by the Kent, transmitting the following Papers, accompanied with the original Persian Addresses to the Court of Directors.

Bengal, November 6, 1788.

Par. 309. FOUR several addresses from the principal native inhabitants of Benares to your honourable Court, declaring their sentiments of Mr. Hastings, were submitted to us by Mr. George

Thompson, late secretary to Mr. Hastings, at the request of Ally Ibrahim Khawn, the chief judicial magistrate of that city, with the correspondence which had passed with him on the subject of them.

310. It appeared from the tenor of this correspondence, that a deputation of the inhabitants of Benares had expressed their wishes, through Ally Ibrahim Khawn, to wait upon your resident Mr. Duncan with these addresses, as the regular official channel of communication; but that Mr. Duncan had declared it was unnecessary for the inhabitants to attend him with the addresses, as they did not concern the Company's affairs.—Under these circumstances they were forwarded to Mr. Thompson, as the attorney and friend of Mr. Hastings, with a request that he would lay them before the Governor General in Council, and take the necessary steps for their being translated and transmitted to Europe.

311. In compliance with Ally Ibrahim Khawn's solicitation, Mr. Thompson submitted these papers to us, as before recited, requesting that they might be translated and forwarded to you in due time; and under a supposition that the Company would not be averse to receive from its native subjects and allies, the public declaration of their sentiments upon a question of so much importance to their happiness, and to the credit of the English nation, as the conduct of Mr. Hastings, during his long government, Mr. Thompson further requested, that he might be permitted to receive the suffrages which the native inhabitants of the Company's possessions were desirous of conveying to the Court of Directors, as their sense of Mr. Hastings's merits; and that the judges, collectors, and residents might be informed that he had obtained such permission,

permission, or that they were themselves at liberty to receive and transmit to us any testimonies relative to Mr. Hastings, that might be tendered to them by or on the part of the native inhabitants.

312. With these requests from Mr. Thompson we complied, having qualified our orders to the judges, collectors, and residents, in the following terms: “ That the liberty accorded was merely
“ to receive and transmit testimonials when offered; but that they
“ were not to deduce any inference from it, that they were authorised
“ to exercise any further interference.”

313. The addressees above mentioned, with translations, and various other addressees, &c. from the Nabob Vizier and his ministers; from the Nabobs of Furruckabad, and these provinces; also from the principal zemindars of Dinagepore, Boglepore, &c. &c. according to a list which accompanies them, attend you in the present dispatch.

Bengal, January 9, 1789.

Par. 20. Several further addressees, respecting Mr. Hastings, which were either forwarded by the collectors, or presented by native vacceels, to the Governor General, having been translated pursuant to our orders, are now transmitted in the packet of the Kent.—We also forward an address from the Greeks, with a translation of it.

*Copy of a Letter from Mr. THOMPSON, dated March 27, 1788,
to Earl CORNWALLIS, K. G. Governor General, &c.*

Fort William, March 27, 1788.

My LORD,

THE principal native inhabitants of Benares having, in four several addressees to the Honourable Company, declared their sentiments of Mr. Hastings, were desirous of delivering the addressees to Mr. Duncan, the resident at that place, in order that he might forward them to the Governor General in Council, and that they might be so transmitted to the Court of Directors. To this end, Ally Ibrahim Khawn, the chief judicial magistrate at Benares, wrote to Mr. Duncan, requesting that he would appoint a time when a deputation of the inhabitants might attend him with the addressees. Mr. Duncan returned for answer to Ally Ibrahim Khawn, that as the addressees did not concern the Company's affairs, it was unnecessary that the inhabitants should either come or send to him. Under these circumstances, Ally Ibrahim Khawn, at the instance of the parties who had signed the addressees, forwarded them to me, in order that I might present them to the Governor General in Council, for the purpose of being transmitted to England.

The circumstances, as I have here stated them, will appear from Ally Ibrahim Khawn's letter to Mr. Duncan, Mr. Duncan's answer, and Ally Ibrahim Khawn's letter to me; copies and translations of which I take the liberty of inclosing, No. 1.

In compliance with the requisition which I have thus received, I have now the honour to lay before your Lordship the several

Persian papers mentioned in the inclosed list, No. 2 ; and as well on the part of the native inhabitants of Benares as of Mr. Hastings, most earnestly to request, that your Lordship will be pleased to order that the said Persian papers may be translated into English by the proper officers, and with the translations transmitted to the Court of Directors by the next ship.

As I humbly conceive, that the Honourable Company will not be averse to receiving from its native subjects and allies the public declaration of their sentiments upon a question of so much importance to their happiness, and to the credit of the English nation, as the conduct of Mr. Hastings during his long government ; and as I understand that the principal native inhabitants throughout the Company's possessions are desirous of conveying to the Court of Directors their sense of Mr. Hastings's merits, I take the liberty of requesting that I may be permitted to receive their suffrages, and that the gentlemen who act as judges, collectors, or residents, under the Presidency of Fort William, may be officially informed, that I have obtained such permission, and that they have authority to transmit to the Governor General in Council any testimonies relative to Mr. Hastings, which may be tendered to them for that purpose, by or on the part of the native inhabitants of their respective districts.

I have the honour to be, my LORD,

Your Lordship's most devoted and

Obedient humble Servant,

(Signed) GEO. NESBIT THOMPSON.

(A true Copy) E. HAY,

Secretary to the Government.

First Enclosure in Mr. THOMPSON'S Letter.

Translation of a Letter from ALLY IBRAHIM KHAWN, the Chief Judicial Magistrate at Benares, to JONATHAN DUNCAN, Esq. the Resident at that Place.

THE inhabitants of this city have prepared, under their seals and signatures, several addresses relative to the beneficent and honourable Mr. Hastings.—They wish to send to you certain persons on their part with the said addresses, and to deliver to you a petition to this effect; viz. Be pleased, in your kindness, to forward these addresses to the presence of the Right Honourable Earl Cornwallis, to whom be lasting prosperity, and to the honourable gentlemen of his council in Calcutta, who, having graciously caused them to be translated by the translators of the Company, will (it is requested) be pleased to forward them to the Honourable Directors in England, as has been already fully represented to you by Beneram Pundit. Whenever you shall be pleased to appoint, the said persons will attend you, and present the said address.

Translation of Mr. DUNCAN'S Answer to ALLY IBRAHIM KHAWN.

Usual Compliments.

YOUR letter, informing me that the inhabitants of the city have prepared, under their seals and signatures, several addresses relative to Mr. Hastings, and are desirous that certain persons should come to me with the said addresses, and a request that I will forward them to his Lordship in Council, has been received. As the addresses have no connection with the business of the Company,
there

there is no necessity that they (the inhabitants) should come or send to me. Let them do what they think proper. What more? &c.

*Translation of a Letter from ALLY IBRAHIM KHAWN to
Mr. THOMPSON.*

The usual Compliments.

THE inhabitants of the town of Benares having prepared several addresses, under their seals and signatures, relative to Mr. Hastings, were desirous that certain of the inhabitants should carry the addresses, and deliver them to Mr. Duncan, in order that he might in his kindness forward them to the Council in Calcutta, and request, in behalf of the inhabitants, that the beneficent Gentlemen of the Council, having caused the addresses to be translated by the translator of the Company, the centre of prosperity, would send both the originals and the translations to England, to the presence of the Honourable the Directors. I accordingly wrote to Mr. Duncan: he sent for answer, that as the addresses had no relation to the business of the Company, it was therefore unnecessary that they (the inhabitants) should come or send to him.—This you will understand from the copies which I send enclosed of my letter on this occasion to Mr. Duncan, and of his answer. As you are the attorney and the friend of Mr. Hastings, they have therefore sent the addresses to you. They will be delivered to you by Mirza Ally Nukky Khawn Behadre.—It is desired that you will deliver them to the Honourable the Gentlemen of the Council, and take such steps that they may be translated and sent to England. What more? &c.

(True copies.)

E. HAY, Secretary to the Government.

Second

Second Enclosure in Mr. THOMPSON's Letter.

- A. An address under the seals of the Maha Rajah and Ranny, the Kawzies, Mufties, Mowlavies, Munsubdars, Khawns, and other persons of distinction at Benares, bearing 277 seals, with a schedule specifying the names, offices, and stations of the persons whose seals are affixed to the address. This copy and schedule are attested by the official seal of the Kauzy Ally Nukky Khawn.
- B. Address under the signatures of the Pundits of Mehrift and Naugur, and other Bramins at Benares, written in the Shanfcrit language and in the Dio Nagry character.
178 signatures.
- b. Copy of the above address, marked B. attested by the official seal of the Kauzy.
- C. An address in the Shanfcrit language and in the Bengal character, signed by the Bengal Pundits residing at Benares.
112 signatures.
- c. A copy of the address marked C. attested by the official seal of the Kauzy.
- D. Address in the Hindostany language and in the Guzaraity character, signed by the bankers of the Now Putty Quarter, the merchants, &c. of Benares.
402 signatures.
- d. Copy of the above address marked D. attested by the official seal of the Kauzy.

(A true copy)

E. HAY, Secretary to the Government.

Resolutions

*Resolutions of the Right Honourable the Governor General in Council,
on Mr. THOMPSON'S Letter, 31st of March, 1788.*

*Resolutions on Mr. THOMPSON'S Letter, in Consultation, 31st of
March, 1788.*

THE Governor General in Council, having considered the request made by Mr. Thompson, does not conceive himself authorised to preclude Mr. Thompson, as the attorney to Mr. Hastings, from collecting the suffrages of the natives, or to reject an application founded in common justice, and therefore resolves to admit it, so far as to authorise the officers of government to receive representations from the natives, expressive of their sense of Mr. Hastings's conduct towards them, and to transmit them, if tendered, to the Secretary, with respect to these testimonials.

The Governor General in Council deems it wholly unnecessary to record any opinion upon a subject with which he has no concern or interference,

Ordered, That the following circular letters be written to the collectors, judges, and residents.

To Mr. MATTHEW DAWSON, Collector of Moorsbedabad.

SIR,

MR. THOMPSON, who appears to be one of Mr. Hastings's attorneys, understanding that the principal native inhabitants of the Company's territories are desirous of bearing testimony to the merits of Mr. Hastings, has addressed the Governor General in Council, requesting that he may be permitted to receive their suffrages, and
that

that the judges, collectors, or residents under this presidency, may have authority to transmit to the Governor General in Council any testimonials relative to Mr. Hastings, which may be tendered to them for that purpose, by or on the part of the native inhabitants of their respective districts. With this request the Governor General in Council has been pleased to comply; and I have therefore to inform you, that should any such addresses be tendered to you by or on the part of the native inhabitants within your district, you are at liberty to receive and forward them to me. The liberty now accorded is merely to receive and transmit testimonials when offered; and you are not to deduce any inference from it, that you are authorized to exercise any further interference in this business.

I am, &c.

(Signed) E. HAY, Secretary to the Government.

March 31, 1788.

The same to

Mr. Peter Speke	Collector of Rajeshahy,
Mr. Suctonius Heatly	Do. of Poorneah,
Mr. Day W. M'Dowal	Do. of Rungpore,
Mr. George Hatch	Do. of Dinagepore,
M. R. Bathurst	Do. of Tirhoot,
Mr. Montgomeree	Do. of Sircar Sarun,
Mr. W. Brook	Do. of Shawhbad,
Mr. Thomas Law	Do. of Bahar,
Mr. W. Leslie	Do. of Ramghur,
Mr. R. Adair	Do. of Boglepore,
Mr. J. Sherburne	Do. of Beerbhoom,
Mr. J. Kinloch	Do. of Burdwan,

Mr.

Mr. Colby Burrows	Collector of Midnapore,
Mr. W. Pye	Do. of 24 Pergunnahs,
Mr. Tilghman Henckle	Do. of Jeffore,
Mr. Shearman Bird	Do. of Chittagong,
Mr. Matthew Day	Do. of Dacca Jelalpore,
Mr. W. Wroughton	Do. of Momen Sing,
Mr. John Champain	Judge of Dacca,
Mr. E. Eyre Burgefs	Do. of Moorshedabad,
Mr. Lawrence Mercer	Do. of Patna,
Mr. Jonathan Duncan	Resident at Benares.

To CHARLES MALLET, Esq. Resident at Poona.

S I R,

MR. THOMPSON, who appears to be one of Mr. Hastings's attorneys, understanding that several of the principal natives of India are desirous of bearing testimony to the merits of Mr. Hastings, has addressed the Governor General in Council, requesting that he may be permitted to receive their suffrages, and that the officers of government may have authority to transmit to the Governor General in Council any testimonies relative to Mr. Hastings, which may be tendered to them for that purpose by or on the parts of the natives of India.

With this request the Governor General in Council has been pleased to comply; and I have therefore to inform you, that should any such address be tendered to you, you are at liberty to receive and forward them to me. The liberty now accorded is merely to receive and transmit testimonials when voluntarily offered; and you are not

Y y y

to

to deduce any inference from it that you are authorised to exercise any further interference in this business.

I am, &c.

(Signed) E. HAY, Secretary to the Government.

March 31, 1788.

The same to Major Palmer, resident with Mahajee Sindia, and E. O. Ives, Esq. resident at Lucknow.

Ordered, That the Persian papers, mentioned in Mr. Thompson's enclosure, No. 2, be translated into English by the Persian translator, and transmitted to the Honourable Court of Directors with the translations by the next ship.

(A true Copy)

E. HAY, Secretary to the Government.

B E N A R E S.

Address under the Seals of the Maha Raja and Ranny, the Cawzies, Moofties, Mowlavies, Munsubdars, Khawns, and other Persons of Distinction at Benares, bearing 297 Seals.

A.

* IT having come to the hearing of all us men, both high and low, of every sect and persuasion, as well Hindoos as Mahomedans,

* This differs from the translation in the official copy, being copied from the address from Patna, which, with many others, was transcribed from one common form, but more correctly translated.

the

the inhabitants and natives of the city of Benares, part of the territories belonging to the English Company, that the Gentlemen of England are displeased with the late Governor General, Warren Hastings, upon the suspicion that exercising tyranny and oppression, and taking from us, by artifice, and fraud, and force, our property, he laid waste the country; we, therefore, according to the dictates of our several religious and sacred ordinances, which we hold to be strictly binding on our consciences, and in observance also of that divine precept, "Bear ye testimony," do thus publish a true account of the nature and circumstances of the conduct of Mr. Hastings, an honoured personage of esteemed qualities, who was perfect in caution and rectitude, complete in virtue and benevolence, and first amongst those characters who are signalized by their great humanity and wisdom, and was honoured both by the Kings of Hindostan and England; and by thus giving utterance to the words of truth and justice, cleanse the mirrors of the hearts of the Gentlemen of England from the rust of suspicion. This person is clothed with probity and religion as with a garment, and is adorned by the protection of the people, and the preservation of us the worshippers of God, as it were with a jewel. The skirt of his existence is unfurled by the stain of dishonesty or prejudice, and the mirror of his heart is unclouded by the dust of avarice. In the time of his government, and during the period of his administration, no one has seen in him any thing but the protection of the subjects, and the dispensation of justice. Never did the dirt of affliction seat itself through him on the hearts of the people, nor did he ever break the glass-like minds of the lowly with the stone of violence. As an army is kept in safety by its watch guards, so he protected the honours of stran-

gers and natives by his vigilance and foresight, and kept them defended in the castle of security from the troops of adversity. The sanctuary of the welfare of us humble men was preserved in safety by the superintending care of his justice and benevolence. He did not omit the smallest particle of friendship towards us, and towards whoever else were deserving of it; but always by kind words and benign acts administered the balm of comfort to the wounded hearts of the afflicted. He left not one of us all, not a single individual, to be melted in the crucible of despair. In his compassionate nature and great kindness he favoured us all. The feet of the endeavours of wicked men were broken by the axe of his awe, and the oppressive hands of evil doers were bound by the strong cords of his justice. By these means the doors of happiness and delight were opened to us. He new laid the foundations of justice and the pillars of the law. In every shape, we, the inhabitants of this country, during the time of his administration, lived in ease and in peace. We are therefore greatly satisfied with and thankful to him. As the said Mr. Hastings was long acquainted with the modes of government in these regions, so the inmost purpose of his heart was openly and secretly, in word and in deed, bent upon all those things which might maintain inviolate our religious ordinances, and persuasions, and guard us in every the minutest respect from misfortune and calamity. In every way he cherished us in honour and credit. Whatever we have in our own persons really experienced from him, and whatever has been clearly manifested by him, we have for the sake and in the name of God, without the arts of hypocrisy, truly and justly thus declared. In this there is no doubt.

The Seals affixed to this Address.

Seals of the Caazies.

Caazy al Caazaat Mowlavy Ally Khawn.

Caazy Tucky Allce Khawn, Caazy of the city of Benares.

Caazy Rahmut Ally Khawn, Caazy of Chunar in the district of Benares.

Caazy Sied Mohummud Amman.

Meer Caamil Ally, deputy of Caazy Tucky Ally Khawn.

Vellayet Ally Khawn, nephew to Caazy Tucky Ally Khawn.

Seals of the Moofties.

Moofity Kurrimoolla, Moofity of the city of Benares.

Moofity Mohummud Akber Ally Khawn, Moofity of Jownpoor in the district of Benares.

Molavy Mohummud Nafeh, Moofity to his Majesty.

Moofity Ameer o'din, Moofity of Chunar Ghur.

Shekh Enayet Ally, brother to Moofity Kurrimoolla.

Sheikh Golaum Hofein, brother to Moofity Tofel Ally, deceased.

Moofity Arfud.

Seals of the Learned Men.

Molavy Sied Buddy o'din Ahmud.

Molavy Serâj al huc.

Molavy Fayk Ally.

Molavy Golaum Hofein.

Molavy.

Molavy Abdal Hâdy.

Molavy Selâmut Ally.

Molavy Fukher o'din Mohammud.

Molavy Zeffer Ally

Molavy Nujeeb Oolla.

Molavy Wâfil Ally.

Molavy Ahmud Oolla, Molavy to his Majesty.

Molavy Mohummud Ashlum.

*Seals of the Principal People, the Men of Family, and the
Munsubdars, or Men holding offices.*

Ameer o'Dowla Nawaub Mohammed Akber Khawn Behauder,
brother to Mofud o'Dowla.

Nawaub Abdal Ahad Khawn Behauder.

Nawaub Sied Mohummud Baher Khawn, son of Nawaub Ally Jah
Causim Ally Khawn.

Nawaub Sied Abdoolla Khawn, son of ditto.

Nawaub Sied Golaum Ally, grandson of ditto.

Nawaub Sied Budder o'din Mohummud Khawn, son of ditto.

Nawaub Sied Abdul Ally Khawn, son of ditto.

Nawaub Sied Golaum Hofein Khawn, son of ditto.

Meer Mohummud Nasir Khawn, son-in-law to ditto.

Nawaub Sied Fuzzel Ally Khawn, son to Nawaub Roostum Ally
Khawn, who was proprietor of Benares.

Sied Afzul Ally Khawn, grandson to Roostum Ally Khawn.

Ameer o'Dowla Azeez ul moolk Nawaub Ally Ibrahim Khawn
Behauder, Neffer Jung.

Ally

Ally Nucky Khawn Behauder.

Nawaub Neffer o'Dowla Meffeer o'din Ally Khawn Behauder,
Sumfaum Jung.

Mirza Mohummud Sauduc, son-in-law to Nawaub Moneer Dowla
Mohummud Shuja Khawn Behauder Nadir Jung.

Maharajah Govindram Behauder Scopadar Jung, Vakeel to the
Nawaub Vizier.

Merdaun Ally Khawn, son of Nawaub Mohummud Ally Khawn
Hindooftance.

Shuja Ally Khawn, son of ditto.

Rajah Daalchund, relation of Juggut Sect.

Shahab Khawn Neazy, son of Loll Khawn, who was a man of con-
sequence under Rajah Bulwunt Sing.

Mohummud Cossim Beg Khawn Behauder, Aumil of Benares.

Dubbar ul moolk Ihteram o'Dowla Mirza Cullub Ally Khawn Be-
hauder Hybut Jung, Aumil of Jownpoor and other pergunnas.

Kurramut Ally Khawn.

Rahmut Oolla Khawn, superintendant of Adawlut.

Abdal Ruffed Khawn.

Nuzzer Baahy Beg Khawn Behauder.

Mohummud Ashruf Khawn.

Aish Oolla Khawn, accomptant of Benares.

Rahoob al Aumeen Khawn, relation of the Cazy of Benares.

Warris Ally Khawn.

Golaum Hoffein Khawn.

Mohsen Ally Khawn.

Mahboob Ally Khawn.

Hakeem Rezza Coolly Khawn.

Alla Ally Khawn.

Zeeal Oolla Khawn.

Golaum Turrud Khawn

Abdal Raheem Khawn.

Ally Ahmud Khawn.

Sied Amjud Ally Khawn, Jagheerdar of Jownpoor.

Noor o'din Mohummud Khawn..

Jumaul o'din Ally Khawn.

Sied Fuzzel Ally Khawn, Jagheerdar of Jownpoor.

Sied Mafooz Ally Khawn.

Mohummud Ashruf Khawn.

Seals of the Rajah, Ranny, and Bauboo, &c.

Rajah Mehipnarain Sing Behauder, Rajah of Benares.

Ranny Golaub Kooer, widow of Rajah Bulwunt Sing, deceased.

Bauboo Bhoopnarain Sing, brother of Rajah Mehipnarain Sing Behauder.

Bauboo Ooffaun Sing, deputy of Rajah Bulwunt Sing, and Chyte Sing.

Bauboo Juggut Sing, nephew of Rajah Bulwunt Sing.

Bauboo Pertaub Sing, son of Bauboo Munniar Sing, nephew of Rajah Bulwunt Sing.

Bauboo Anfoo Maun Sing, son of ditto.

Bauboo Dullup Sing, superintendant of the affairs of Rajah Mehipnarain Sing Behauder.

Lalla Sadanund, Bukhsy and Dewan to Rajah Chyte Sing.

Bauboo

Bauboo Seoperun Sing, son of Bauboo Ojeib Sing, deputy of Rajah Mehipnarain Sing Behauder.

Bauboo Duljeet Sing, son-in-law of Bauboo Ojeib Sing.

Bauboo Sunker Ruttun Sing, relation of Rajah Bulwunt Sing.

Bauboo Sumboo Ruttun Sing, his brother.

Rajah Bhuggut Sing, Zemindar of Pergunna Chowfa in the district of Benares.

Rajah Bhawboot Deo, Zemindar of Pergunna Balea in the district of Benares.

Rajah Amba Sunker Pundit, late superintendant of the mint.

Bauboo Sernaum Sing Bowhor, relation to Rajah Bulwunt Sing.

Sied Himayet Ally Khawn, grandson of the Nawaub Roostum Ally Khawn, deceased.

Seals of the Mahometan Inhabitants and Residents at Benares.

Sheikh Mohummud Hosein Yahob, Caunoongo of Havély Benares.

Sheikh Mohummud Ally, Meer Adil of Benares.

Sheikh Rahmut Ally, brother of ditto.

Hakeem Abdoolla.

Hakeem Futteh Ally.

Khauja Abdoolla.

Khauja Mohummud Ally.

Khauja Fyze Ally.

Mirza Affud Oolla Beg.

Meer Haddy, Daroga of Mirzapoor customs appertaining to Benares.

Sheikh Koob Oolla.

Mirza Golaum Nukh Bund.

Meer Mohummud Weigeah.

Sheikh Mohummud Fakeer.

Mirza Ally Akber, son of Mirza Fyze Oolla Beg, companion of
Rajah Chyte Sing.

Mirza Newazish Ally.

Mullic Aukil Oolla.

Mullic Junnut Hofein.

Mullic Mozuffer Hofein.

Mullic Futteh Oolla.

Sheikh Khaudim Ally.

Khauja Abdul Hofsein.

Sheikh Aumeen al Huc.

Sied Subz Ally Hofseince.

Sheikh Hofsein Ally.

Mirza Mohummud Bukhsh.

Sied Golaum Hyder.

Hakeem Meer Golaum Ally Jownpoory.

Sheikh Mohummud Buffur, Aumeen of the city.

Mirza Muckoo.

Mirza Jaffer Beg.

Mirza Boohy Beg.

Mirza Affoor Beg.

Peer Mohummud Khawn.

Sheikh Mohummud Mah, Zemindar of the Kuttra of Sheikh Seleem
in the city of Benares.

Mirza Abdoolla Beg.

Khauja Fyze Ally Saany.

Mirza Mohummud Sajah.

Meer Bism Oolla.
Sheikh Noor Mohummud.
Siedy Rajeb.
Mohumud Awaadaun Khawn.
Sheikh Shahad Ally.
Sheikh Subkut Oolla.
Sied Cubner Ally.
Sheikh Maun Oolla.
Mirza Mohummud Cauzim.
Mirza Mohib Ally, successor to the Punjah Shereef.
Sheikh Golaum Hafein, successor to the Imaum barra.
Neâmut Beg, merchant.
Mirza Jaffer Ally, Moonshy.
Sied Fuzzel Ally.
Sheikh Tauleb Ally.
Hokeem Mirza Hafeiny.
Salema Beg.
Mohummud Cauzim.
Tauleb Ally.
Sheikh Fyze Oolla.
Mirza Karim Beg.
Mirza Azceez Beg.
Mirza Ally Azeem Jownpoory.
Haujy Jumshed Beg.
Mohummud Wujee.
Cureem Ally.
Mirza Hoffun Ally.

Sied Saad Oolla.

Mirza Mohummud Rehmut Oolla Beg.

Seals of respectable Hindoo Inhabitants of Benares.

Beneram Pundit, Vakeel of Mahraja Moodajee Bhoosla of Naugpoor
Maratta.

Lalla Chumput Roy, Aumeen of Benares.

Roy Beyoo Loll.

Roy Seo Sing.

Lalla Sunder Dafs, brother of Lalla Chumput Roy.

Mujlifs Roy, son in law of Buggut Dewan of Rajah Chyte Sing.

Roy Shadoo Ram, son of Rey Mahudeo Ram, Dewan of the Sooba
of Illahabad.

Lalla Mooteeram, Naib of Lalla Chumput Roy Aumeen.

Lalla Nehal Chund, brother of Roy Shadoo Ram.

Lalla Kishen Perfaud.

Lalla Bechun Loll.

Lalla Hurnaum Heera.

Lally Busty Loll.

Lalla Ramdhun.

Lalla Rambuksh.

Lalla Sambool Sing.

Lalla Sanaul Sing.

Lalla Herra Loll.

Lalla Ram Dyall.

Lalla Seojee Mull.

Lalla Seonarain.

Lalla

Lalla Ramperfaud.

Moonshy Maunie Chund.

Lalla Shिताub Roy.

Lalla Jehangheery Mull.

Row Behauder Sing, king's officer.

Lalla Mohun Sing, ditto.

Khawn Dafs, a fervant at the mint.

Lalla Mootee Loll.

See Sing.

Lalla Mungul Sein, Vackeel of Rajah Chyte Sing.

Dulpet Roy.

Seals of those who enjoy Pensions and Allowances.

Meer Sufder Ally Jagheerdar of	Shah Ahmud Hoffein, brother of
Jownpoor.	ditto.

Meer Bauker Ally, do. do.	Shah Aumeer o'Din, relation of
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Shekh Fuzzel Ally, nephew of	ditto.
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Moofly Kereem Oolla.

Sheikh Golaum Gous.

Meer Mohummud Ibrahim.

Sheikh Mafoom Allum.

Mirza Caumil Ally Beg.

Izzut Ally Koreishy.

Sied Nejabut Ally.

Kowut Ally.

Sied Mobaurek Ally.

Noor Ally.

Bowauny Sunker.

Sheikh Golaum Meer.

Setaram Sunker.

Sheikh Rehmut Ally.

Pallyram Miffer.

Sheikh Sooban Ally.

Shah Ahmud Abdooka.

Derveish Ally Hofeiny.

Inayet :

Inayet Ally.	Wahud Ally.
Roufhun Ally.	Deleree Ally.
Golaum Hoffein.	Morad Afhruf.
Fuzzel Ally.	Sheikh Fuzzl Ally.
Golaum Hofein Ally.	Shah Mohummud Ally.
Doft Ally.	Sheikh Mohummud Newaz Sid-
Sied Kummer Ally.	dahy.
Fyze Ally.	Shah Mohummud Ewuz.
Mehr Ally Hofeinee.	Sied Jubbâr Ally.
Sied Golaum Iffa.	Golaum Sherf o'Din.
Sied Mohummud Ewez.	Mohummud Aufauk.
Hera Geer.	Sheikh Enayet Mucdoom.
Goffin Omer Geer.	Reayet Ally.
Churn Geer.	Ahmud Ally.
Shadoo Ram.	Hyder Ally.
Dowlut Ram Naunuc Shahee.	Mohummud Kulleel.
Moffurruf Ally Hoffeinee.	Meher Ally.
Mohummud Ally Ahmudy.	Golaum Hoffein.
Sied Azmut Ally.	Imaum Ally.
Perifram Gheer.	Mohee o'Din Acber.
Munny Ram.	Acber Ally.
Ram Ghurreeb.	Fuzzel o'Din.
Ganga Dutt, brother of Sirikishn.	Mohummud Azeem o' Din.
Gopee Nund.	Golaum Ruffool.
Obyram.	Rokun o'Din.
Doorga Dutt.	Golaum Meer.
Gunput Bramin.	Afhruff Ally Beg.

Khaja Mohummud Mah.

Mirza Bubber Ally Beg.

Affoor Ally Beg.

Bekun Miffer.

Mohummud Afhruf.

Sectaram.

Meer Roostum Ally.

Danoondar Churn,

Meer Hyder Ally.

Mohummud Mah.

Nissar Ally.

*An Address under the Signatures of the Pundits of Mehrist and Nau-
gur, and other Bramins of Benares, written in the Shanfcrit
language and the Déo-naugry Characters.*

** This Paper was drawn up on a Friday in the Month of Kârteek, the
Moon being in her Increase, and the Teetbe, Adde-gooa, in the
Year 1709 of the Saka Æra, corresponding with the 1844th Year
of Veckram,† Yooga-kritta-dbrittee.‡*

B.

WE, the inhabitants of Benares, and the people of the country who
happen to be there, declare what we know according to truth. We
live comfortably and happily in consequence of several things, of
which the Governor General, Mr. Hastings, that distinguished man,

* This, and the two following testimonials, were translated from the original Shanfcrit
by Mr. Wilkins, and are inserted instead of the official translations, which were ren-
dered from incorrect translations in the Persian language.

† Veckramâdeetya.

‡ A technical term.

so eminent for great humanity, and abundant wise regulations, was the cause.

Amongst other things are these :

First.—He took great pains to promote the welfare of the inhabitants of the city of the Lord of the Universe, which is the great object of pilgrimage to the four tribes, from every part of the country.

Second.—During his government he caused us to dwell in peace and respectability.

Third.—In consequence of the very heavy tolls imposed by the *Ganga-Pootras*, very few pilgrims were wont to come. He caused them to be abolished, so that, at present, good men, freed from those impediments, perceiving the never-before-experienced facility with which they can perform this necessary part of their duty, gladly come, with ease, as pilgrims from all countries.

Fourth.—He appointed the Navâb Ally Ibrahim Khân, a man without corruption, chief magistrate for the protection of Benares, and the administration of equity and justice ; and for the purpose of investigating the disputes of the four tribes, and the aliens respectively, there preside some of the most distinguished among the Brahmans and Mussulmans. And he gave him a commission containing the strictest instructions calculated to give ease, and free from vexation all the people of this country. And this magistrate, by preventing all his officers from accepting presents and taking bribes, renders the inhabitants much happier than they were during the administration of Bulwant Sing and Cheyt Sing.

Fifth.—Whenever that man of vast renown, the Governor General, Mr. Hastings, returned to this place, and people of all ranks
were

were assembled, at that time he gladdened the heart of every one by his behaviour ; which consisted of kind wishes, and agreeable conversation ; expressions of compassion for the distressed, acts of politeness, and a readiness to relieve and protect every one alike without distinction.

* Sixth.—To please us dull people, he caused a spacious music gallery to be built, at his own expence, over the gateway of the temple of Veefwêswar, which is esteemed the head jewel of all places of holy visitation.

Seventh.—He never, at any time, nor on any occasion, either by neglecting to promote the happiness of the people, or by looking with the eye of covetousness, displayed an inclination to distress any individual whatsoever.

Thus have we truly represented the happiness derived from the good administration of Mr. Hastings, Jalâdat Jung ; whence the renown of the King and Company, which, like the new moon, is the universal hope, fills all Hindostan, and is awake over very famous and extensive country. We, therefore, who are in peace, made happy and free from trouble, heartily pray for the prosperity of the merciful King and Company's empire, whose subjects are well governed. May it be successful !

* Mr. Hastings has no other concern in this act, than in having given a commission to Ally Ibrahim Khan, to purchase a small piece of ground which obstructed the approach to the temple. The ground belonging to many proprietors, one of whom refused to part with his property in it, it was not till after his death, and Mr. Hastings's departure from India, that Ally Ibrahim Khan obtained possession of the ground, and erected the gallery mentioned in the text ; but refused to be reimbursed for the expence incurred by these benefactions ; Mr. Hastings not unwillingly relinquishing to a professor of the intolerant religion of Mahommed, but one of the most liberal and benevolent of men, the credit of having completed and embellished a structure of idolatrous worship.

Total signatures to the preceding addrefs, 178, which conveying no information that can either instruct or entertain the English reader, are therefore omitted.

C.

An Address in the Sanscrit Language, and in the Bengal Character, signed by the Bengal Pundits residing at Benares.

Representations of sundry Persons, who have taken up their abode in the City of Benares, and of Pilgrims from various Parts of the Country, to the illustrious King of Kings, the Ruler of the English Nation, and the prosperous Company.—Particulars :

First.—WE are filled with attachment for the great Mr. Hastings, by his affable and affectionate behaviour towards us.

Second.—During the time that great man was in this country, he took great pains to promote our welfare, and secure to us our honour and respectability.

Third.—By the blessing of that great man, we who live here enjoy great happiness ; and in consequence of his having punished certain bad men, people from all quarters come to reside here.

Fourth.—For the purpose of protecting the good inhabitants of this place, and punishing the wicked, having inquired for a person of wisdom, who was versed in a variety of books of divine ordinance, conscientious, and void of avarice, whom he might employ to try those who are followers of the Veds, according to their laws called Dharam-Sastras, and the strangers by their own customs, at length that great man, Mr. Hastings, appointed such a one in the person of their virtuous Navob Ally Ibraheem Khân ; in consequence of

which, we all of us, at present, experience greater protection than, during the former, neglect.

Fifth.—When that great man came to this place, he paid some suitable compliment to every one who went to visit him.

Sixth.—For the glory of Eefwar, and constant success in life, that great man caused a music gallery to be built, at a very great expence, for the public use, under a pavillion of stone, near the outward gate of the temple of Vecfwêfwar.

Seventh.—During his stay amongst us, we were treated by him in every respect as if we had been his children; and there was not any thing he could do for us neglected or omitted.

Eighth.—Through *him* we enjoy happiness:—through *him*, too, the illustrious King of Kings, the ruler of the English nation, and only asylum of the distressed, and the prosperous Company, have obtained that great renown they possess in this country. And so we constantly pray for him!

This is the representation of the inhabitants of the city of Eefwar.

Total seals and signatures to this address, 112.

The names are omitted for the same reason as those to the preceding address.

D.

An Address in the Hindostany Language, and in the Goojrauty Character, signed by the Bankers of the Now Putty Quarter, and by the Merchants, &c. of Benares.

WE, who live under the authority of the auspicious Company, having heard, that the principal men of the English nation are dis-

pleased with the great Mr. Hastings, (of whose profound knowledge, constancy of mind, excessive humanity, mildness of speech, and other worthy and ornamental qualities with which he is adorned, the whole body of the learned sing in praise, and with the glory of the full moon of whose renown the whole earth is illuminated,) upon suspicion of his having taken from us, the people of this land, our property by force and fraud, and by these means rendered the country desolate; in order to remove those suspicions from the minds of those principal men, and rescue from infamy the name of one who walketh in the path of justice, proceed to make known his good deeds:

He established the three orders of the people, the higher, the middling, and the commonalty, in the exercise of their respective religious rites and customs, and enjoyment of their particular honours; and being of a mild disposition, and naturally void of inordinate desires, he governed them like a father.

He rewarded the learned in science, and those who were only learners with honorary gifts, according to the merits of their respective works.

From a long residence in this country, he became acquainted with all the policy of its government.

During his administration, the whole of the people lived free from trouble. They executed the duties of attending and superintending their particular callings, and were supremely happy.

This is the belief of all the inhabitants of this country.

Total signatures to this address, 402.

The names are omitted for the same reason as assigned in the preceding address.,

MOOR-

M O O R S H E D A B A D.

E.

No. 7. *Copy of a Letter from the Resident at the Durbar, and of Translations of Persian Papers which accompanied it.*

To EDWARD HAY, Esq. Secretary to the Government.

SIR,

HIS Highness the Nabob Mobarek ul Dowla has sent me the accompanying papers, relating, as he informs me, to Mr. Hastings, desiring I will immediately forward them to the right honourable the Governor General.

I have numbered them 1 and 2, and am, SIR,

Your most obedient humble Servant,

(Signed) PETER SPEKE,

Resident Durbar.

Moradbaugh,

February 14, 1788.

Papers received February 16, 1788, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788, marked

F.

IT is written for the information and knowledge of the gentlemen in power under the King and Company of England, that we have at this

this time learnt by the news from Europe, that a few persons, not being fully acquainted with the real state and customs of this country, have represented matters with respect to Mr. Hastings, contrary to truth and fact, have thrown the minds of the ministers and people of England into a state of doubt, and have injured Mr. Hastings, and aspersed his character. As Mr. Hastings, from the time of his arrival until his departure, administered the affairs of this country with great propriety and splendour; always sought the prosperity and welfare of the family of Nawaub Meer Mahommed Jaffier Kaun, deceased, according to the purport of the treaties and engagements; laboured for the satisfaction for the preservation of the character, and honour of every one, according to his rank and station; and avoided every circumstance which could occasion us distress or indignity; we were, and are pleased and satisfied with him. It is therefore incumbent on us to write without diminution, and according to the truth, what we have seen and heard of the particulars of Mr. Hastings's conduct. First. The whole period of Mr. Hastings's residence in this country exhibited his good conduct towards the inhabitants. No oppressions nor tyranny were admitted over any one. He observed the rules of respect and attention to ancient families. He did not omit the performance of the duties of politeness and civility towards all men of rank and station, when an interview took place with them.

Secondly. In affairs concerning the government and revenues, he was not covetous of other men's money and property; he was not open to bribery. He restricted the farmers and officers in their oppressions, in a manner that prevented them from exercising that
 tyranny

tyranny, which motives of self interest and private gain might instigate them to observe towards the Ryotts and helpless.

Thirdly. During his administration, no war or commotion arose in this country ; no man's property was plundered ; but every one of every rank lived in perfect ease and security.

Fourthly. When from the great want of rain there were appearances of a famine, and it was on the eve of happening, when thousands would have perished, he laboured with every exertion to prevent it ; he brought grain from the inland districts, and in order to relieve the people he abolished the duties on grain. He severely threatened the dealers in grain, that no hardship might be felt by any one.

Fifthly. He established the civil and criminal (Dewanny and Fougedary) courts upon proper rules, so that the lives and properties of men were protected from the evil acts of thieves and murderers. He regulated punishments according to the rules of the Koran, and ordained that each sect should be tried according to its respective laws laid down in the Shaster and Koran.

Sixthly. He used great exertions to cultivate the country, to increase the agriculture and revenues. He transacted the business of the country and revenues without deceit, and with perfect propriety and rectitude.

Seventhly. He respected the learned and wise men ; and in order for the propagation of learning, he built a college, and endowed it with a provision for the maintenance of the students ; inasmuch, that thousands reaping the benefits thereof, offer up their prayers for the prosperity of the King of England, and for the success of the Company.

Eightly.

Eighthly. He was not haughty in temper, nor was he fond of state and luxury ; he did not seek his own ease, but at all times laboured for the prosperity of the country, and the security of its inhabitants.

Ninthly. So great was the strength, and power, and grandeur, and fame, and magnanimity of the government of his Majesty, of the Company, and the English nation, throughout all Hindostan, during his administration, that no one could establish the standard of rebellion. In short, he was incomparable for his disposition and virtues ; and from the length of his residence in this country, he was fully acquainted with the manners and customs of it, and transacted all affairs accordingly, and with credit and propriety.

Dated 29th Zeffar, 1202, or December 10, 1787.

The Seals upon this Address.

Nawaub Matimin Moolk Mobarek ul Dowla, Sied Mobarek Ally Khan Behadre Feroze Jung, Nazim of the Soobahs Bengala, Behar, and Oresa.

Nawaub Munny Begum, widow of Nawaub Meer Mahommed Jaffier Khan, deceased, and mother of Nawaub Nudgim ul Dowla, deceased.

Junaub Bubboo Begum Saheba, widow of Nawaub Meer Mahommed Jaffier Khan, deceased, mother of Nawaub Motimin Moolk Behadre Feroze Jung.

Kyrun Nissa Beegum, sister of Nawaub Meer Mahommed Jaffier Khan, deceased.

Nufceffa

Nufceffa un Niffa Beegum, fister of Nawaub Meer Mahommed Jaffier Khan, deceased.

Nawaub Meer Murteza Khan Behadre Affud Jung, fon of Nawaub Sauduc Ally Khan, deceased, and grandson of Nawaub Meer Mahommed Jaffier Khan, deceased.

Fetteh Ally Khan, fon of Nawaub Sauduc Ally Khan, deceased, and grandson of Nawaub Meer Mahommed Jaffier Khan, deceased.

Sultaun Mirza Daoood, fon of Shah Sullimaun, late King of Eerân, and fon-in-law to Nawaub Sauduc Ally Khan, deceased.

Nawaub Iftakhar ul Moolk, Affadud Dowla Seid Khulleel Oolla Khan Behadre, Ghuzenfur Jung, fon of Sultaun Mirza Daoood, and fon-in-law to Nawaub Motimin ul Moolk Behadre Feroze Jung.

Nawaub Imtiaz ul Dowla Sied Ahmud Ally Khan Behadre Gâlib Jung, fon of Nawaub Ihtaram ul Dowla Behadre, who is brother of Nawaub Meer Mahommed Jaffier Khan, deceased.

Sied Bauker Ally Khan, husband of the fister of Nawaub Meer Mahommed Jaffier Khan, deceased.

Juggut Seet Hurk Chund.

Seet Oby Chund, uncle to Juggut Seet Hurk Chund.

Seet Meher Chund, uncle to Juggut Seet Hurk Chund.

Sied Mahommed Hosein Khan, eldest brother of Nawaub Khan Khannân Behadre Mozuffer Jung.

(A true Translate)

(Signed)

(A true Copy)

G. T. CHERRY,

Deputy Persian Translator.

E. HAY,

Secretary to the Government.

*Under the Seals as underwritten from the Inhabitants of Akbarnagur,
commonly called Rajemahal, marked*

G.

IT is written for the information and knowledge of the gentlemen in power under the King and Company of England, that we have at this time learnt by the news from Europe, that a few persons, not being fully acquainted with the real state and customs of this country, have represented matters with respect to Mr. Hastings contrary to truth and fact, have thrown the minds of the minister and people of England into a state of doubt, and have injured Mr. Hastings, and aspersed his character. As Mr. Hastings from the time of his arrival until his departure, administered the affairs of the country with great propriety and splendour; always sought the prosperity and welfare of the family of Nawaub Meer Mahommed Jaffier Khan, deceased, according to the purport of the treaties and engagements; laboured for the satisfaction, and for the preservation of the character and honour of every one, according to his rank and station; and avoided every circumstance which could occasion us distress or indignity; we were, and are pleased, and satisfied with him. It is therefore incumbent on us to write without diminution, and according to the truth, what we have seen and heard of the particulars of Mr. Hastings's conduct.

First. The whole period of Mr. Hastings's residence in this country exhibited his good conduct towards the inhabitants. No oppressions or tyranny were admitted over any one. He observed the rules of respect and attention to ancient families. He did not omit the performance

formance of the duties of politeness and civility towards all men of rank and station when an interview took place with them.

Secondly. In affairs concerning the government and revenues, he was not covetous of other men's money and property. He was not open to bribery. He restricted the farmers and officers in their oppressions, in a manner that prevented them from exercising that tyranny, which motives of self interest and private gain might instigate them to observe towards the ryotts and helpless.

Thirdly. During his administration no war or commotion arose in the country ; no man's property was plundered ; but every one of every rank lived in perfect ease and security.

Fourthly. When from the great want of rain there were appearances of a famine, and it was on the eve of happening, when thousands would have perished, he laboured with every exertion to prevent it ; he brought grain from the inland districts, and in order to relieve the people, he abolished the duties on grain ; he severely threatened the dealers in grain, that no hardship might be felt by any one.

Fifthly. He established the civil and criminal (Dewanny and Fougedary) courts upon proper rules, so that the lives and properties of men were protected from the evil acts of thieves and murderers. He regulated the punishments according to the rules of the Koran, and ordained that each case should be tried according to its respective laws laid down in the Shaster and Koran.

Sixthly. He used great exertions to cultivate the country, to increase the agriculture and revenues. He transacted the business of the country and revenues without deceit, and with perfect propriety and rectitude.

Seventhly. He respected the learned and wise men; and in order for the propagation of learning, he built a college, and endowed it with a provision for the maintenance of the students; inasmuch, that thousands reaping the benefit thereof, offer up their prayers for the prosperity of the King of England, and for the success of the Company.

Eighthly. He was not haughty in temper, nor was he fond of state and luxury: he did not seek his own ease; but at all times laboured for the prosperity of the country, and the security of its inhabitants.

Ninthly. So great was the strength, and power, and grandeur, and fame, and magnanimity of the government of his Majesty, of the Company, and the English nation, throughout all Hindostan, during his administration, that no one could establish the standard of rebellion. In short, he was incomparable for his disposition and virtues; and from the length of his residence in this country, he was fully acquainted with the manners and customs of it, and transacted all affairs accordingly, and with credit and propriety.

Dated 2d Rubbee ulfanny, 29th year of the reign, January 12, 1788, in Akbernagur, commonly called Rajmahal.

The Seals upon this Address.

Nawaub Imtiaz ul Dowla Sied Ahmud Ally Khan Behadre Ghalib Jung.

Sied Mahfoom Ally Khan Behadre, son of Nawaub Aboo al Cossim Khan, deceased, who is son-in-law to Nawaub Meer Mahommed Jaffier Khan, deceased.

Baffoob addeen Ally Khan, grandson to Nawaub Ihtaram ul Dowla, deceased.

Sied Mahommed Nucky, son-in-law to Nawaub Ihtaram ul Dowla, deceased.

Sied Aboo al Hoffein, grandson to Nawaub Ihtaram ul Dowla, deceased.

Sied Torab Ally, grandson to Nawaub Ihtaram ul Dowla, deceased.

Sied Nuzzer Ally Khan, son-in-law to Nawaub Ihtaram ul Dowla, deceased.

Sied Currum Ally, son of Sied Fuzl ulla Khan, king's officer.

Sied Haddy Ally Khan Behadre, son-in-law to Nawaub Ihtaram ul Dowla, deceased.

Sied Hyder Ally, grandson to Nawaub Ihtaram ul Dowla, deceased.

Sied Sumfodeen Ally, grandson to Nawaub Ihtaram ul Dowla, deceased.

Sied Ally, superintendent of the Household to Nawaub Ghâlib Jung.

Abbâs Cooly, superintendant of the household to Nawaub Imtiaz ul Dowla, deceased.

Hoffein Cooly, a servant to Nawaub Ihtaram ul Dowla, deceased.

Sied Affud ulla, a servant to Nawaub Ihtaram ul Dowla, deceased.

Sied Ally, native of Deccan, a servant of Nawaub Ghâlib Jung.

Sheikh Hellooll, arze beggy of Nawaub Ghâlib Jung.

Mahommed Azeem, inhabitant of Rajemhal.

Almanny Loll, Vakeel of Nawaub Ghâlib Jung.

Dulleep Sing, Dewan of Nawaub Ghâlib Jung.

Almanny Loll, Naib Dewan of Nawaub Ghâlib Jung.

Nund Loll, native of Rajemhal.

Thaan Sing, native of Rajemhal.

Bhaag Mul Mahagin, banker.

Hem Raje Mahagin, banker.

Sheikh Abadân, native of Rajemhal,

Sheikh Mahommed, inhabitant of Rajemahal.

(A true Translate)

(Signed)

G. T. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

Under the Seals as underwritten, marked

H.

THE humble representation of us, the inhabitants and residents of the town of Moorshedabad, in the kingdom of Bengal, to his Majesty, the Ministers, and the Directors of the East India Company of England, is as follows: The late Governor Warren Hastings, Esq. during his administration in this country, from the time of his arrival until the period of his departure, at all times gave us the greatest satisfaction, and we were thankful for his good conduct and great good qualities. He was always engaged in whatever tended to the ease of the ryotts, to the security, prosperity, and cultivation of the country. By his firm and well-formed regulations, and by his new system for the civil and criminal (Dewanny and Fougedarry) courts, every one was protected from the injuries of robbers and murderers.—Justice was administered according to the tenets of each
respec-

respective religion and custom ; and such was the due vigilance and care with which he protected this country, that not one of the troublesome and rebellious persons on its borders could extend over it the hand of rapine and invasion. By these means we lived in perfect peace and quiet. Notwithstanding a scarcity of rain, his measures prevented the dreadful effects of famine. Mr. Hastings never shewed a disposition coveting the property or riches, nor censuring or injuring the reputation or character of any one ; nor did he ever accept of bribes ; but all times with courteous manners, and proper behaviour, performed the civilities and attentions due to men of rank and power, to men of learning and abilities. He established colleges for the propagation of learning, and endowed them with emoluments of a suitable nature, insomuch, that to this time, thousands profit by them, and are employed in prayers for the prosperity of his Majesty, and for the duration of the Company's administration. The vigor and power of his Majesty's kingdom, the strength of the Company and English nation, were so evinced throughout Hindostan, during the government of Mr. Hastings, that no one elevated the standard of disobedience. In short, during Mr. Hastings's government we lived in perfect peace and security ; we did not in the least respect experience distress or uneasiness, but are pleased and satisfied with his virtues and good qualities.

The Seals upon this Address.—Seals of Cauzies, Learned Men, and Men of Character.

Sied Ahmud Ally Khan, Head Cauzy of Soobahs, Bengala, Behar, and Orissa.

Sied.

Sied Mahommed Houssein Khan, Cauzy of the town of Moorshedabad.
Moofly Ahameddy, Head Moofly of Soobahs Bengala, Behar, and
Oriffa.

Cauzy Sied Zellal ul Dien Hyder, Naib to the Head Cauzy.

Cauzy Sheikh Zeal ulla Naib Cauzy.

Cauzy Sheikh Mahommed Ally Naib Cauzy.

Molovy Budder ul Houssein, Molovy of Adaulut.

Molovy Jellal ul Deen.

Molovy Meer Mahommed Ally, grandson of Molovy Mahommed
Zakeer Khan, deceased.

Molovy Ahmud Oolla Anfarry.

Molovy Ahmed Ally.

Molovy Mahommed Haddy.

Molovy Mahommed Arhum.

Molovy Mahommed Aheen.

Molovy Mahommed Mowein Tubba Tubba.

Molovy Sied Akber Ally Ruzzy.

Molovy Owleah Ahameddy.

Molovy Sied Ahmed Ally.

Molovy Yoosoph Khan.

Molovy Hyder Houssein.

Molovy Sied Ally al Housseiny.

Molovy Sheikh Fukher ul Deen Mahommed.

Molovy Minhaje ul Deen.

Molovy Meer Roshun Ally Housseiny.

Seals of the Persons of Family and Rank.

Omdutun Neffa Boho Beegum, widow of Nawaub Seraje ul Dowla, deceased.

Serf ul Deen Ally Khan, son of Ashruf Ally Khan, grandson of Nawaub Jaffier Ally Khan, deceased.

Sied Haddy Ally Khan, nephew to Nawaub Jaffier Ally Khan, deceased.

Izaz Ally Khan, son of Nawaub Shucker ulla Khan, and grandson to Nawaub Sufraze Khan, deceased.

Hoffein Rezza Khan, grandson to Nawaub Mohâbut Jung, deceased.

Sied Khadim Ally Khan, son of Nawaub Khadim Hoffein Khan Behadre, deceased.

Mohâbut Ally Khan, brother to Nawaub Seraje ul Dowla, deceased.

Sied Ally Khan, high steward of the Nizâmut, son of Sied Bauker

Ally Khan, brother-in-law to Nawaub Jaffier Ally Khan, deceased.

Itbar Ally Khan Behadre, superintendant to the household of Nawaub Munny Beegum.

Hâgy Saadut Mund Khan, Nazir to the Dewanny of Bubboo Beegum.

Hakim Sied Ally Khan, son of Hakim Meer Mahtaub, king's officer.

Mahommed Askerry, son of Nawaub Futteh ulla Khan Behadre, deceased.

Sied Hoffein Khan, grandson to Nawaub Serfraz Khan, deceased.

Affud Ally Khan, brother-in-law to Mirza Mahommed Eritch Khan, deceased.

Meerza Ahmed, nephew to Nawaub Shahâmut Jung, deceased.

Oahed Ally Khan, brother to Ally Ibrahim Khan Behadre.

Omzud Ally Khan, Mofâhib to Nawaub Feroze Jung Behadre.

Mirza Akber Ally, nephew to Mirza Mahommed Eritch Khan, father-in-law to Nawaub Serage ul Dowla, deceased.

Ahmed Hofein Khan, son of Aboo Mahommed Khan, and grandson to Mahommed Eritch Khan, deceased.

Sied Abid, Darogah of the Tosha Kanna of Nawaub Feroze Jung Behadre, and nephew to Nawaub Jaffier Ally Khan, deceased.

Mirza Serjaat Ally, nephew to Mirza Mahommed Erich Khan, deceased.

Sheikh Golaum Roffool Khan Behadre, who was commander of cavalry in the time of Nawaub Jaffier Ally Khan.

Neamut Oolla Khan, high steward to Nawaub Khan Khanân Behadre, Mozuffer Jung, Mahommed Reza Khan.

Reza Ally Khan, Arze Beggy to Nawaub Motimen ul Moulk Behadre Feroze Jung.

Sheer Ally Khan, an old servant of Nawaub Meer Mahommed Jaffier Khan, and son to Meerza Huckim Beg, and Mofahib to Nawaub Mahâbut Jung, deceased.

Meer Nafir Ally, nephew to Nawaub Jaffier Ally Khan, deceased.

Nuzzer Ally Khan, Arze Beggy of Nawaub Ally Jah, and son of Golaum Hofein Khan.

Futteh Ally Khan, relation to Mirza Mahommed Eritch Khan, deceased.

Hoffein Ally Khan, relation to do.

Awuz Ally Khan, nephew to Nuffer ulla Khan.

Sied Fetrut Khan, relation to Nawaub Gyrut Khan, deceased.

Sied Ally Nucky Mofaheb to Nawaub Feroze Jung Behadre.

Mobarek Kooly Khan, superintendant of buildings to Nawaub Feroze Jung Behadre Mobarek ul Dowla.

Mirza Mahommed Ally, Mofaheb of Nawaub Feroze Jung Behadre.

Mirza Jumma Beg, do. do.

Haagy Roffum Ally, Darogah of the privy purfe, and Jeb Khaus of Nawaub Feroze Jung Behadre.

Sied Lootf Ally, relation to Nawaub Meer Mahommed Jaffier Khan, deceased.

Mirza Meer, an old fervant of Nawaub Meer Mahommed Jaffier Khan, deceased.

Mahommed Gozur Khan, an old Jemautdar of Nawaub Meer Mahommed Jaffier Khan, deceased,

Sied Yar Ally Khan.

Meer Jaun Ulla, Naib to the high steward of the Nizamut.

Imam Buksh Khan, Darogah to the Nizamut elephants.

Sied Mahommed Morad, Naib of Omdut un Neffa Bhow Beegum.

Mirza Goozunfer Ally.

Secunder Khan.

Buffunt Ally Khaun.

Fize ulla Khan.

Azum Khaun.

Ferhut ulla Khan.

Mahommed Ryam Khan.

Inad ul Khan.

Affrut Ally Khan, Nazer of Omdut un Neffa Bhow Beegum.

Golaum Hoffein Khan.

Mirza Mahommed Mohtuddy.

Sied Rootub Ally Saadut Serfy.

Sied Mazum Ally.

Sied Kullub Ally.

Bahar Ally Khan.

Amanut Khan.

Nuzzer Ally Khan.

Sied Houssein Khan Housseiny.

Mirza Mahommeddy Khan.

Mahommed Setum Khan.

Sied Zein ul Abdeen, of the chiefs of Mecca.

Mahommed Bauker, son of Mahommed Houssein, steward to Nazer ul Moulk, son of Mobarek ul Dowla.

Mirza Azum Ally, grandson to Golaum Houssein Khan Arzbégy Behâdre Ally Khan.

M A H O M E D A N S.

Shaik Mahommed Wally, &c.

The rest are omitted, bearing no offices or affinity which can render them interesting to an English reader, being in number, altogether, eighty-one persons.

Seals of Persons in Office.

Mudubber ul Moolk Bridge Inder, Maha Rajah Sunder Sing Behadre.

Roy Monic Chund, Dewan of Nawaub Munny Beegum.

Roy Bridge Bullub, son of Coonge Beharry, grandson of Maha Rajah Janic Ram.

Roy Juggut Bullub, son of do. and grandson of do.

Roy Maha Nund, grandson to Maha Rajah Nund Comar, deceased.

Roy Jaun Ram, grandson to Raja Succut Sing.

Roy Chyn Ram, grandson to Raja Succut Sing.

Rajah Otum Sing, son of Rajah Madarry Loll, and grandson to
Rajah Succut Sing.

Onotum Sing, brother to the above.

Roy Kishen Chund, son of Maha Rajah Sunder Sing.

Roy Khoobram.

Roy Chunder Sein, brother to Maha Rajah Sunder Sing.

Roy Nowul Kifwur, Peishcar to the Nizamut Dewan.

Ockeel Sing, accountant to the Nizamut.

Roy Tilluck Chund, accountant to the high steward of the Nizamut.
Otmaram, Seristadar Nizamut.

Mahrage Sing, Peishcar to the muster-master of the Nizamut.

Neckrage, Seristadar of the Jagheers of Nawaub Khan Khannân Be-
hadre Mahommed Rezza Cawn.

Punn Gopaul.

Roy Gocul Chund.

Gopey Perfaud, relation to Maha Rajah Mehinder Behadre.

Dewan Ramtonoo, Muttefeddy to the Moorshedabad custom house.
Coffinaut.

Bucktawur Sing.

Hurry Sing.

Moonshy Tahoor Dofs.

• Govind Perfaud.

Moddo Ram.

Sunder, son of the Seristadar of Nizamut servants.

Seo Loll, Mustofy of the Nizamut.

Holofs Chund.

Bholanaut.

Hurkishen

Hurkishen.

Roy Neelcunt.

Dullet Ram.

Prift Sing.

Munfaram.

Amâny Loll.

Luckun Choudry.

Ullup Sing.

Hurry Ram.

Sumboo Sing.

Chumroo Roy.

Hurry Sing.

Loll Meher Chund, Moonshy to the Bhow Beegum.

Nawind Roy, grandson to Roy Rada Kishen.

Seals of Bankers, &c. whose Houses are established in several Places.

Maha Rajah Dhuje Sree Goffein Butul Noth Peer Moorsheed, head
of a sect of Hindoos, called Kockla Dhoos in Hindy.

Guneesh Dofs Ruttun Chund Mal Dahy.

Gopaul Dofs Shaw.

Govind Dofs Shaw.

Doarka Dofs Shaw.

Chutter Bhooje Dofs Shaw.

Lotchmin Dofs Shaw.

Kishen Chund Shaw.

Nehal Chund Shaw.

Lolla

Loila Sook Loh Shaw.

Gean Chund Shaw.

(A true Translate.)

(Signed) G. F. CHERRY,
Deputy Persian Translator.

(A true Copy.) E. HAY,
Secretary to the Government.

No. 8. *Copy of a Translation of a Letter from the Nabob Vizier of Oude to the Governor General, and of a Translation of four Persian Papers which accompanied it, marked*

I.

Received, March 8, 1788.

I HAVE learnt that Mr. Hastings has written to the Gentlemen residing in Calcutta to write the particulars of the conduct he observed during his government in India, on the part of the Company, towards the chiefs of Hindostan, and that they should first acquaint you therewith, and obtain your consent. Your Lordship has been pleased not to forbid those who were inclined to write with their own free will. The chiefs and people of Bengal and Benares have written papers voluntarily : and as I am myself, and my ministers and chief people about me are perfectly pleased with Mr. Hastings's conduct, we have, therefore, written a paper declaring our satisfaction with it, and transmit it to your Lordship. If your Lordship should be pleased, and the papers written by the people of Bengal, &c. should arrive

arrive with your Lordship, and your Lordship should transmit them to Europe, you will also transmit these papers with them.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true copy.)

E. HAY,

Secretary to the Government.

Papers received, March 8, 1788, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Under the Seal of his Excellency, the Nawwab Asoph ul Dowla Asoph Jah Behadre Vizier ul Momalik.

K.

I HAVE at this time learnt that the Gentlemen in power in England, upon the suspicion that Mr. Hastings, during his administration, acted contrary to the rules of justice and impartiality ; and actuated by motives of avidity, was inimical towards men without cause ; that he broke such engagements and treaties as had been made between the Company and other chiefs ; that he extended the hand of oppression over the properties of men ; tore up the roots of security and prosperity from the land ; and rendered the Ryotts and subjects destitute by force and extortion.* As this accusation, in fact, is desti-

* Some words are wanted in the original to close and complete the sense of this passage. From the context of this address, and from the words actually used in another address which accompanies it, the translator has no doubt that the words intended to be inserted are of this import ; viz. " are displeased with him."

titute of uprightness, and void of truth, therefore, with a view to shew the truth in its true colours, I have written upon this sheet, with truth and sincerity, to serve as an evidence, and to represent real facts; to serve also as information and communication, that Mr. Hastings, from the commencement of his administration until his departure for England, whether during the life time of the deceased Nawaub, of blessed memory, Vizier ul Moolk Sujah ul Dowla Behadre, my father, or during my government, did not at any time transact, contrary to justice, any matter which took place from the great friendship between me and the Company, nor in any business depart from the path of truth and uprightness; but cultivated friendship with integrity and sincerity, and in every respect engaged himself in the duties of friendship with me, my ministers, and confidants. I am at all times, and in every way, pleased with, and thankful for his friendly manners and qualities; and my ministers and confidants, who have always, every one of them, been satisfied with his conduct, are for ever grateful for his friendship, and thankful for his virtues. As these matters are real facts, and according to truth, I have written these lines as an evidence, and transmit this paper to England, through the government of Calcutta, for the information of the Gentlemen of power and rank in England.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Government.

Under the Seals of Nawaub Serfraz ul Dowla Nazim ul Moolk Hosein Reza Cawn Behadre Zuffer Jung, and Nawaub Ameer ul Dowla Intezam ul Moolk Hyder Beg Khan Behadre Nuzrut Jung, marked

L.

IT is at this time learnt by the Nawaub Vizier, and us, his ministers, that the Gentlemen of power in England are displeased with Mr. Hastings, on the suspicion, that during his administration in this country, from motives of avidity, he committed oppressions contrary to the rules of justice, took the properties of men by deceit and force, injured the ryotts and subjects, and rendered the country destitute and ruined. As the true and upright disposition of Mr. Hastings is in every respect free of this suspicion, we therefore with truth and sincerity declare, by these lines, written according to fact, that Mr. Hastings, from the first of his appointment to the government of this country, until his departure for Europe, during his authority in the management of the affairs of the country, whether in the life time of the Nawaub Sujah ul Dowla Behadre, deceased, or whether during the present reign, did not, in any matters which took place from the great friendship between this government and the Company, act, in anywise, upon motives of avidity, and not having, in any respect, other than justice and propriety in intention, did not swerve from their rules. He kept his Excellency, the Vizier, always pleased and satisfied by his friendship and attention in every matter. He, at all times, shewed favour and kindness towards us, the ministers of this government; and under his protection, having enjoyed

perfect happiness and comfort, we are, from our hearts, satisfied with, and grateful for his benevolence and goodness. As by all the rules of religion and custom, to witness with truth procures its reward of a good name in this world and hereafter, we have written these lines to prove our satisfaction and Mr. Hastings's good conduct, and transmit this paper to the Gentlemen in Europe.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Government.

_____ .

Under the Seals as underwritten, marked

M.

AT this time it is heard that the Gentlemen in power in Europe are displeased with Mr. Hastings, in consequence of suspicions thrown out by his enemies, and represented to them, that Mr. Hastings, from motives of avarice, committed acts, during his administration and authority, contrary to the rules of justice, and extended the hand of oppression and usurpation over the property, country, and characters of the chiefs of those countries, who had connection, or were in friendship with the Company: therefore, we the people of rank belonging to his Excellency the Vizier, upon the principle, that making a true and faithful evidence is pleasing to the Almighty,

declare what we have ourselves seen during the administration of Mr. Hastings, and write as true, and faithfully witnessed with our seals upon this paper; that from the commencement of Mr. Hastings's government, we have not seen or experienced any oppression or tyranny in regard to our desires, our effects, or our property; that we have passed our days in peace and security under his protection; that no injury or detriment has ever happened from him to the cultivation of the lands; that no opposition or hindrance has ever taken place from him in the customs of the religion of any sect, every sect, whether Hindoo or Mahomedan, performing its religious tenets according to its professions and rites in perfect security; the dignity and character of every person was supported by him according to the respective station of each; and every person, pleased and satisfied with his good conduct and disposition, was always, and continue to be, thankful; mankind, from the efforts of his mind, and the power of his measures, were protected from disturbances, and guarded against evils, passing their days in perfect peace and quiet. As these particulars are individually true, we have therefore warranted this paper with our seals, as an evidence, and transmit it to the Gentlemen in England, in order that in giving evidence of what is true and faithful, no neglect may be attributed to us, who have seen and witnessed the manners and conduct of Mr. Hastings during his administration.

The Names on the Seals affixed to this Address. The Seals.

Cassimally Khan Behadre Kyam Jung.

Akber Ally Khan Behadre Iftekar Jung.

Mirza

Mirza Ismail Ally Khan Behadre.

Ally Kooly Khan Behadre Sohraab Jung.

Ahmed Ally Khan Behadre Shoukut Jung.

Vakeel Sultanut Moktaur Moolk Mudar ul Dowla Behadre.

Mahommed Ammee Khan Behadre Buffalut Jung.

Newazish Ally Khan Behadre Sirdar Jung.

Ilmafs Ally Khan, Ze Khâk Pây Mahommed.

Mushrif ul Almafs.

Rajah Jagenaut Behadre.

Rajah Tickeet Roy.

Ibrahim Ally Khan Behadre.

Lutf Ally Khan Behadre.

Shereef Ally Khan Behadre.

Ameer Khan Behadre.

Ramjee Soohar Cashmeery Mull.

Rajah Butchraje.

N. B. On the original is the seal Yah Ulla Moujood Ulla Ally Wullee. This seal is not on the copy.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Government.

No. 9. *Copy Translation of a Letter from the Nabob of Furruckhabad to the Governor General, and a Translate of three Persian Papers which accompanied it.*

From the Nawaub of Furruckhabad, marked

N.

Received May 31, 1788.

I HAVE been informed that people in England have accused Mr. Hastings of a conduct that carried with it the destruction of the country, and that tended to disgrace the inhabitants; and that, in order to do away this accusation, the inhabitants of Bengal, Benares, and Lucknow, have written, and continue to write, addressees. As I have been for a long time connected with the Company, and have not witnessed any act of Mr. Hastings, but that of civility and kindness; therefore having, from principles of gratitude, prepared an address, expressive of my satisfaction, I send it to your Lordship, and hope that you will transmit it to England, and thus make me indebted to your kindness. Considering me attached to your Lordship, I trust you will make me happy by frequent letters of kindness.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Government.

Papers received May 31, 1788, and translated, pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Under the Seal of Nawaub Ghuzuffer ul Dowla, Ameer ul Moolk Dileer Himmut Furzend Khan Behadre Mozuffer Jung; and the Seal of Ameer ul Dowla, Mozuffer ul Moolk Khereed Mund Khan Behadre Bubber Jung, marked

O.

WHEREAS rectitude giveth satisfaction unto God, the communication of truth is the means of salvation, and the cause of diffusing the virtues of good conduct; and as this is agreeable to every understanding of mankind in general; therefore is this paper written freely, and according to the inclination of my heart; and whatever is just and true is represented with great uprightness and sincerity, for the information of his Majesty the King of England, the ministers of the nation, and the Company: that Mr. Hastings, from the commencement of his administration of the affairs of Hindostan, never committed any act of oppression towards me, Deleer Himmut Khan Mozuffer Jung: on the contrary, I lived under his kindness and protection in perfect ease and safety, and guarded against my enemies by his conduct, I entertained hopes from him that he would have represented the true state of my government to his Majesty and the Company, and have so exerted himself as to have procured it to be restored to its former state. As I have now heard that Mr. Hastings's enemies uniting together have accused him to the Gentlemen of England, of having taken the property of men in Hindostan, of having deprived the inhabitants of the lands they had cultivated, and injured their reputations by putting disgrace upon them; it is incumbent on us Mahommedans, according to the orders

of God and his prophet, and our religious forefathers, to declare, having our religious tenets in view, what we know to be just and true. We now declare to all men of all ranks in England the justice and good conduct, the kindness and pleasing manners of Mr. Hastings, which we have witnessed : and at a time when we are thankful and grateful for his behaviour, we have affixed our names to this paper of satisfaction, and transmit it through the government of Calcutta, to England. Dated, 21st Zeffar, 1202, or in December, 1787.

(A true Translate.)

(Signed) G. F. CHERRY, Deputy Persian Translator.

(A true Copy.) E. HAY, Secretary to the Government.

Under the Seals as underwritten, marked

P.

WE, the Cauzy Moofly, students, men of rank, men of business, merchants, bankers, and tradesmen, inhabitants of the town of Furrukhabad, bear evidence to the King of England, Ministers and Directors of the Company, that Mr. Hastings committed no kind of oppression on us from the commencement of his administration in Hindostan, until his departure ; but, on the contrary, under his kindness and protection, we lived in peace and security, and were guarded against our enemies. As we have now heard that Mr. Hastings's enemies have laid an accusation against him before the ministers of England, that he took the property of people in Hindostan, laid waste their lands, and blasted their reputation by disgraces, it is necessary that we Mahommedans, agreeably to the orders of God and his prophets, and that we Hindoos, according to the vedes and the Shaster, represent, and make known what is fact ; we therefore

4

represent

represent to all mankind the justice and kindness of Mr. Hastings, which we have always seen; and now, when we are grateful and thankful for his kindness, we write this deed of satisfaction, and, from our own free will, affix our seals thereto, and transmit it, through our own sovereign and chief, to Calcutta, in order that the government there may send it to England. Dated 21st Seffer, 1202, Hejeree, or December, 1787.

Seals and Signatures to this Address.

Caazy Sied Golaum Shaw, &c.

The rest are omitted for the reason already assigned, being altogether in number 57.

No. 10. *Copy Letter from the Collector of Deenagepoor, dated July 8; and Copy Translate of a Persian Paper which accompanied it.*

EDWARD HAY, *Esq. Secretary to the Government.*

S I R,

AT the request of the zemindary officers of Pergunnah Haveli, Punjera, &c. I transmit the enclosed Persian paper, containing testimonials relative to Mr. Hastings.

I am, SIR, your very obedient humble Servant,

(Signed) G. HATCH, Collector of Deenagepoor.

Deenagepoor,

(A true Copy.)

July 8, 1788.

E. HAY, Secretary to the Government.

Papers received July 18, 1788, transmitted by GEORGE HATCH, Esq. Collector of Deenagepoor, and translated pursuant to an Order from the Governor General in Council, dated April, 27, 1788, marked

Q.

I RADANAUT, Zemindar of Pergunnah Havelly Punjera, commonly called Deenagepoor. As it has been learnt by me the Muttefud-dies, and respectable officers of my zemindary, that the ministers of England are displeased with the late governor, Warren Hastings, Esq. upon the suspicion that he oppressed us, took money from us by deceit and force, and ruined the country; therefore we, upon the strength of our religion, which we think it incumbent on, and necessary for us to abide by, following the rules laid down in giving evidence, declare the particulars of the acts and deeds of Warren Hastings, Esq. full of circumspection and caution, civility and justice, superior to the conduct of the most learned; and by representing what is fact, wipe away the doubts that have possessed the minds of the ministers of England: that Mr. Hastings is possessed of fidelity and confidence, and yielding protection to us; that he is clear from the contamination of mistrust and wrong, and his mind is free of covetousness and avarice. During the time of his administration, no one saw other conduct than that of protection to the husbandmen, and justice; no inhabitant ever experienced affliction; no one ever felt oppression from him. Our reputations have always been guarded from attacks by his prudence, and our families have always been protected by his justice. He never omitted the smallest instance of kindness towards us, but healed the wounds of despair with the salve of consolation, by means of his benevolent and kind behaviour,

behaviour, never permitting one of us to sink in the pit of despondence. He supported every one by his goodness, overset the designs of evil-minded men by his authority, tied the hand of oppression with the strong bandage of justice, and by these means expanded the pleasing appearance of happiness and joy over us. He re-established justice and impartiality. We were during his government in the enjoyment of perfect happiness and ease; and many of us are thankful and satisfied. As Mr. Hastings was well acquainted with our manners and customs, he was always desirous in every respect of doing whatever would preserve our religious rites, and guard them against every kind of accident and injury, and at all times protected us. Whatever we have experienced from him, and whatever happened from him, we have written without deceit or exaggeration.

The Seals upon this Address.

Maha Rajah Radanaut Behadre.

Ram Caunt Roy, Naib Zemindar.

Kirperam Sein, Mhal Zemindary Aumcen.

Kishen Caunt Roy, Zemindary Tehsildar.

Neel Caunt, Zemindary Peishcar.

Rada Rohmun Sohay, Peishcar Aumcen.

Nundololl Sohay, Zemindary Peishcar.

Raje Kishen Berjoo, Zemindary Chuckladar.

(A true Translate)

(Signed)

G. T. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

No. 11. *Copy Translations of a Letter and Papers, transmitted to the Governor General by the Nabob of Dacca.*

From the NAWAUB of DACCA to Earl CORNWALLIS, received August 19, 1788, marked

R.

AT this time, people of all ranks, inhabitants of Dacca, have heard, that since Mr. Hastings's arrival in England, an investigation into his conduct while governor is carrying on before the high court of justice of England: therefore the inhabitants of Dacca of office and credit have brought to me an address, authenticated by the Cauzy, and sealed with their respective seals, representing their satisfaction, and requesting me to affix my seal thereto. I sent for them into the hall of audience, and learnt from each of them the purport of the address; when having inquired into it, I put my own seal to it, and have the pleasure to inclose in my present letter to your Lordship, the address, a list of the names, and an address from myself, with duplicates of each. Your Lordship will peruse them, and be kind enough to transmit them to England. I hope your Lordship will conceive me to be a sincere well-wisher and friend, and honour me frequently with letters of kindness.

(A true Translate)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

Papers

S.

Papers received August 19, 1788, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Translation of Address marked No. 1, under the Seal of Nuzzar ul Moolk Intezam ul Dowla Syed Ally Khan Behadre Nuzrut Jung, and that of his Brother, Shums ul Dowla Syed Ahmud Ally Khan.

FROM the reports of all ranks of people, and from the newspapers, the inhabitants of Hindostan, but particularly those of Bengal and its dependencies, have learnt, that after the arrival of Warren Hastings, Esq. in England, an investigation into the conduct he observed in Hindostan, while governor of Calcutta, has been commenced before the high court of justice of England; and that the Parliament, who are desirous of justice, and permit no improper act to pass, are determined to make a thorough investigation into every matter, and to separate right from wrong. In consequence, all classes of the inhabitants have unanimously agreed, that as they all live in ease and peace under the kind influence of his Majesty the King of England, and the Parliament, and that on account of the care taken of them by the Parliament, they are daily more and more attached and zealous; and as Mr. Hastings, during the period of his administration, always shewed great kindness and protection, and observed strict justice towards them; and in consequence of his good qualities, his care, and justice, has great claims upon them; and that it is incumbent on them for ever to keep in remembrance this obligation; therefore it is necessary for them to represent every particular.

particular which they are acquainted with, of such matters as the justice of the Parliament is about to inquire into, in such manner as that their representations shall be noticed, and in a short space of time bestowed thereon the truth of every matter be known. Notwithstanding the minds of just men are like the mirror, and what is right is immediately discovered, and justice is not thrown into doubt by the declarations of any one; yet the religious rites of every sect, and the books of every prophet, give sanction to evidence, and it is a demonstration in every matter under investigation. Therefore all the inhabitants of this country are unanimous in the above written intention. Among others, those of Jehanguirnagur, commonly called Daoca, solely in order to represent facts, which by all books of religion and expounded laws is incumbent on every one, have brought to me an address, sealed with their seals, and testified by the Cauzy, that I may affix my own seal thereto, and transmit it to the court of justice. Wherefore I Syed Ally, commonly called Nuzrut Jung, grandson of the deceased Nawaub Jeffarut Khan, now by the kindness, discernment of right, and protection of old servants, displayed by his Majesty, the Parliament, and Directors of the Company of England, in charge of the office of the Nizamut of the said city, called all those who have affixed their seals on the said address into the hall of audience, and have learnt verbally from each the purport of the writing, and having examined into it have affixed my own seal thereto: for the concealment of truth is a great crime before God, and revealing it is praise-worthy, and pleasing to mankind. And as among them there are many holy and religious men, many learned, true, and upright men, and many descendants from families of high fame and rank, who have affixed their seals, I therefore perceived

the propriety of vouching to their declarations, that the particulars may be known, and their representations obtain sanction in the minds of their hearers. God is the discriminator of truth, and an upright and just judge ; and I seek protection under him against falsity and untruth.

*Written 15 Ramzaan, 1202 Hedgerree, or 9th Affar 1105, B. S.
corresponding with June 8, 1788, E. S.*

(A true Translate)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

.

T.

*Translation of the Address under the Seals as underwritten,
marked No. 2.*

The natives and residents of the city of Jehanguirnagur humbly represent to his most gracious Majesty the King of England, and to the Comptrollers and Directors of the Company, that the former governor, Mr. Hastings, during the period of his administration, by the justice he observed, by his complacency and good qualities, and by his protection, secured our satisfaction and gratitude. He engaged himself in the relief of our situations, and in our prosperity. He protected us from thieves and assassins by the systems he laid down
for

for the civil and criminal (Dewanny and Fougedarry) courts, which were purely upon motives of goodness to mankind. Actuated by a love for justice, he permitted the exercise of the religion of each sect according to their respective tenets and customs. He never neglected the safety and peace of the inhabitants, nor the cultivation of the country. During his government we slept in the cradle of security. He never coveted our money or property, nor attacked reputation ; nor had he ever inclination to do wrong ; but treated every one according to the respective station of each. He observed a conduct of respect and veneration towards the learned and experienced men, and towards men of family, according to the degree of their abilities and science, of whatever sect and religion ; and during his administration he treated all the inhabitants with kindness and encouragement ; and from his good qualities, his justice, and his attention, he has great claims upon us. In such matters as would secure the prayers of us, well-wishers for the everlasting duration of his Majesty's throne, and of the jurisdiction and government of the Company, he was constantly engaged. For instance, to this day the colleges which he built, and in which he established allowances for the students, remain, and the students receive the fixed allowances, and pass their lives in peace and thanksgiving : and it is incumbent on us for ever to keep in recollection the obligations we are under to him. It is, therefore, necessary, that in matters which have induced the minds of the just to investigate, we obey the orders of God in declaring what we know. We have therefore done so. Further orders will be issued by his Majesty.

*Dated 15th Ramzan, 1202 Hejeree, 9th Assar, 1195, B. S.
according to June 20, 1788, E. S.*

The

*The Seals upon this Address.—The Names thus * marked are not in the Official Copy.*

Mahommed Ally Khan, Darogah of the Fougedary Adaulut of the town of Jehangeernagur. (Dacca.)

Mirza Mahommed Bauker, merchant of Isphahan, son of Mirza Mahommed Ally Musky.

Haagy Mahommed Ruffee, merchant of the town of Izdazurd.

Haagy Abdoor Rehmaun, merchant.

Mirza Mahommed Saduc Beg, a respectable man of the town of Tirrot.

Mirza Feda Ally, merchant.

Mirza Mahommed Reza.

Mirza Mahommed Hoffein, son of Mirza Mahommed.

Mirza Mahommed Hoffein, son of Aka Fuzl Ally.

Aka Mahommed Reza, a respectable man of the town of Caazebin.

Mirza Mahommed.

Meer Mahommed Ally.

Meer Mahommed Uffaze, grandson to Meer Mahommed Saduc.

Mahommed Keyroom.

* Mirza Moffer Hoffein Beg.

* Meer Mahommed Afzul.

* Meer Sied Hoffein, a respectable man of the town of Bogdaad.

* Meer Sied Mahommed Meernuzzcem.

* Haukim Mahommed Maazeem.

* Meer Mahommed Tucky.

* Sied Toraab Ally.

* Mirza Ally Nucky.

* Meer Hoffein.

- * Meer Golaum Ally.
- * Meer Golaum Ally, Darogah of the Fougedarry Adaulut of Zillah Momin Sing.
- * Mirza Mahommed Jaffer, merchant, son of Mirza Mahommed Bauker Musky.
- * Meer Abul Hossain.
- * Haagy Mahommed Suffee, merchant.
- * Mirza Hossain Ally, merchant, son of Haagy Mahommed.
- * Mirza Mahommed Jaffer, merchant, grandson of Rubl Hossain Khan.
- * Mirza Mahommed, son of Haagy Mahommed Ammy, merchant.
- * Mirza Mahommed Hossain.
- * Mirza Ibrahim Ally, grandson of Molla Abul Fuzzel Khan.
- * Meer Mahommed Bauker, grandson to Meer Mahommed Sauduc.
- * Sheikh Golaum Ally.
- * Mirza Meher Ally.
- * Sied Nnzzar Ally Khan.
- * Mirza Abul Futteh, grandson to Haagy Khan.
- * Mirza Mahommed, son to Nawaub Mohtuddy Khan.
- * Mirza Mahmomed Bauker.
- * Mirza Mahommed Hossain.
- Saa'id o'deen Mahommed.
- Meer Mahommed Tucky.
- Sied Jaffer Ally Hackeem.
- Moonshy Kooly Khan, nephew to Nawaub Moneerul Dowla.
- Golaum Moortooza, Naib Caazy of Jehangeernagur.
- Meer Kundy Ally, Dewan to the Nawaub Nuzrut Jung.

Rajib

Rajib Lochun, nephew to Dewan Moden Mohun.

Meer Sied Ally.

Meer Mahommed Houssein, nephew to Meer Ismaail

Haddy Ally Khan, son to Sook Ulla Khan, and grandson to Nawaub
Serfraz Khan, late nabob of Bengal.

Rohsen Kooly Khan Behadre, son of Nawaub Houssein Kooly Khan.

Buksh Ally Khan, son of Saduc Ally Khan.

Seadut Ally Khan Behadre, late Darogah of the Fougedary Adaulut
of Zillah Jehangeernagur.

Aka Mahommed Nubby.

Haagy Hessaum ul Deen.

Mirza Mahommed Houssein, merchant, grandson to Molla Boofy.

Aka Mahommed Reza, merchant.

Sied Ahmed.

Sheikh Golaum Ally, merchant.

Meer Mahdy.

Chyte Sing.

Bekum Loll, late Dewan to the factory of Dacca.

Mirza Mahommed Ally, merchant, son of Haagy Kurreem Isphahany.

Mirza Mahommed Kurreem, son of Mirza Mahommed Ally.

Mirza Khoda Buksh, son of Mirza Ishauk Khan, Munsebdar.

Mirza Mungloo, son to Nawaub Lowlut Jung.

Mirza Houssein, son to Haagy Affrasiab Beg.

Meer Seraje ul Deen Mahommed, Darogah of the Adaulut of the
Zillah Jellollpore.

Meer Sied Mahommed, son to Meer Sied Ally.

Mirza Surwur Yar, grandson to Nawaub Shaysta Khan.

Meer Mahommed Houssein, son to Sied Mokrim Khan.

Affadul Deen Mahommed Khan, son to Nawaub Soukut Jung.

Meer Sied Mahommed.

Meer Mahommed Nucky.

Sied Zein ul Deen Ally Khan, nephew to Nawaub Auzum Khan.

Meer Abul Houssein Khan.

Mirza Buddy, merchant, son to Haagy Ruzzy.

Aka Mahommed Khan.

Meer Mahommed Bauker.

Meer Abdulla.

Sied Afzul Ally Khan, nephew to Sied Amzad Khan.

Meer Mobareck Ally.

Mirza Mahommed Ally, merchant.

Mirza Mahommed Houssein, son to Haagy Kurreem, merchant.

Sheikh Ruzzub Ally.

Mirza Kumbar Ally.

Mirza Mahommed Ally.

Mahommed Affaaf.

Mirza Mahommed Jaffer, son to Mahommed Punnah Khan.

Ram Buksh.

Hurchum Dofs.

Dul Sing.

Beharry Loll, Gomastah to Sied Meher Chund.

Verfeed Roy.

Huchum Chund, Gomastah to Soorut Sing.

Roy Sing, jeweller.

Seo Doyal, Gomastah of Gawal Dofs and Seonoth Dofs.

Lutchmun Dofs, Gomastah to Monohur Dofs.

Gudda Dur Dofs, Gomastah of Chutter Booge and Merrotum Dofs.

Nobkoomar, son to Nund Shaw.

Ruttun Chund.

Khosaul Chund, Gomaftah to Golaub Roy and Coffinaut.

(A true Translate)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

No. 12. *Copies of two Letters from the Collector of Deenagepoor,
and of Translation of Persian Papers transmitted by him.*

To EDWARD HAY, Esq. Secretary to the Government.

SIR,

AT the request of Godadur Gose, the vackeel of Sied Buddee ul Zemaun, I forward the accompanying Persian paper, containing testimonies relative to Mr. Hastings.

I am, SIR,

Your most obedient humble Servant,

(Signed)

G. HATCH,

Collector of Deenagepoor.

(A true Copy)

E. HAY,

Secretary to the Government.

Deenagepoor,

July 16, 1788.

To

To EDWARD HAY, Esq. Secretary to the Government.

SIR,

AT the request of Roopram, the vackeel of Rezzee o'deen, I transmit the enclosed Persian Paper, containing testimonies relative to Mr. Hastings.

I am, SIR,

Your most obedient humble Servant,

G. HATCH,

Collector of Deenagepoor.

(A true Copy)

E. HAY,

Secretary to the Government.

Deenagepoor,

August 14, 1788.

U.

Paper received August 23, 1788, transmitted by the Collector of Silberris, and translated pursuant to an Order from the Governor General in Council, dated July 27, 1788.

Under the Seal and Signature of Buddce al Zemân, Father of Golaum Sultaun, Zemindar of 8 Anna Division of Pergunnab Silberris.

[N. B. This in the original is nearly the same as the Address from Benares.]

AS it has been learnt by me, the muttesuddies, and respectable officers of my zemindary, that the ministers of England are displeased with the late governor, Warren Hastings, Esq. upon the suspicion

suspicion that he oppressed us, took money from us by deceit and force, and ruined the country ; therefore we, upon the strength of our religion, which we think it incumbent on and necessary for us to abide by, according to the following rules laid down in giving evidence, declare the particulars of the acts and deeds of Warren Hastings, Esq. full of circumspection and caution, civility and justice, superior to the conduct of the most learned ; and by representing what is fact, wipe away the doubts that have possessed the minds of the ministers of England : that Mr. Hastings is possessed of fidelity and confidence, and yielded protection to us ; that he is clear of the contamination of mistrust and wrong ; and his mind is free from covetousness or avarice. During the time of his administration, no one saw other conduct than that of protection to the husbandmen, and justice ; no inhabitant ever experienced affliction ; no one ever felt oppression from him : our reputations have always been guarded from attacks by his prudence, and our families have always been protected by his justice. He never omitted the smallest instance of kindness towards us, but healed the wounds of despair with the salve of consolation, by means of his benevolent and kind behaviour, never permitting one of us to sink in the pit of despondence. He supported every one by his goodness, overset the designs of evil-minded men by his authority, tied the hands of oppression with the strong bandage of justice, and by these means expanded the pleasing appearance of happiness and joy over us. He re-established justice and impartiality. We were during his government in the enjoyment of perfect happiness and ease, and many of us are thankful and satisfied. As Mr. Hastings was well acquainted with our manners and customs, he was always desirous in every respect of doing whatever would preserve

our.

our religious rites, and guard them against every kind of accident and injury ; and at all times protected us. Whatever we have experienced from him, and whatever happened from him, we have written without deceit or exaggeration.

(A true Translate)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. Hay,

Secretary to the Government.

V.

*Address under the Seal of Atta Houssein, Son of Ruzzy u Deen
Choudry of the Pergunnah of Silberris, in Bengal.*

THE same as U in substance and expression, and attested as U.

No. 13. *Copy of Letter from the Collector of Nuddeea, and of Translation of Persian Papers transmitted by him.*

To EDWARD HAY, Esq. Secretary to the Government,

SIR,

Fort William.

IN consequence of your letter of March 31, I have now the pleasure of transmitting to you three addresses in favour of
Mr.

Mr. Hastings ; the first having been presented to me by the rajah of this district, the second by the four zemindars of Hooghly, the zemindar of Satisfyka, and sixty talookdars, who pay their revenues to me ; and a third in the Shanscrit language, which I have received from the rajah of this district, signed by two hundred and eighty-nine bramins, inhabitants of Nuddeea, Santepoor, and other places, many of them being the principal pundits in this country. This address had been prepared by the late rajah Sheo Chund, who intended to have presented it to me himself before his death.

I have the honour to be, SIR,

Your most obedient Servant,

(Signed) F. REDFEARN, Collector.

(A true Copy) E. HAY,

Compared,

Secretary to the Government.

C. ROBERTS.

Kishenagur,

October 1, 1788.

Papers transmitted by the Collector of Nuddeea, received October 4, 1788, and translated pursuant to an Order from the Governor General in Council, under date April 27, 1788.

W.

Under the Seal of Maha Rajah, Decrauje Seo Chund Behadre.

IT having come to the knowledge of all us men, whether Hindoos or followers of Mahomed, resident in this country, that the Gentlemen in England are displeased with Mr. Hastings, &c. as in address

A. page 534

The Translation of a Paper written by the Pundits and Bramins of Nuddeea, Santepoor, &c. in the Shanscrit Language, under the Signatures as underwritten.

X.

THAT peaceable disposition, that mild temper, possessing the first qualities and the greatest kindness, adorned with civility and sincere affability, to such a degree as to become the theme among the learned of every class, and the sensible in every science, endowed with every praise-worthy quality and virtue, enlightening the world like the moon, of Mr. Hastings, the ministers of England are displeased with, on the suspicion that he ruined the property of the inhabitants of this country, under the Company's authority, taking their wealth by force and deceit. We, the inhabitants of this country, on hearing this, represent and relate the pleasing and kind qualities and virtues of Mr. Hastings, who sought the right and was judge of it, in order to remove this doubt from the minds of the chiefs in England, that Mr. Hastings behaved with honour and respect to all the residents of this country, of all ranks, according to their respective situations in life, their professions, their religions, and sects, and treated them with paternal kindness, free from deceit and avarice, and shewed respect and attention to all learned men, and students in every science. He was a long time resident in this country, and well acquainted with every proper custom and mode for administering justice. During the period of his administration, every one, whether great or small, living in perfect happiness, professed their own religions, and exercised their own worldly concerns, with perfect ease and quiet.

quiet. This is the inward sentiment of all the inhabitants of this country.

The Signatures to this Address.

Ramfunker Sirma, of Nuddeea.

The other signatures are omitted, for the reasons already given, the whole number being 285.

Y.

Under the Signatures and Seats as underwritten.

IT having come to the knowledge of all us men, the zemindars, chowdries, and talookdars of purgunnah Mahommed Ameenpoor, and other mahals, belonging to the zillah of Nuddeea in Bengal, that the Gentlemen in England are displeased with Mr. Hastings, &c. as in address A. page 534.

The Signatures to this Address.

Collyperfaud Serma, son of Hurry Churn Choudry, of pergunnah Chuttypoor.

The rest of the names, though their offices are annexed to them in the official copy, and all appertain to zemindars, or talookdars of different orders, are omitted, as they would only swell the volume unnecessarily.

Z.

No. 14. *Translation of a Persian Address from the Inhabitants of Patna.*

Translation of an Address relative to Mr. HASTINGS, under the Seals and Signatures of the Inhabitants of the City of Patna.

IT having come to the hearing of all us men, both high and low, of every sect and persuasion, as well Hindoos as Mahommedans, the inhabitants and natives of the city of Patna, part of the territories belonging to the Dewanny of the English Company, that the Gentlemen of England are displeased with the late Governor General, Warren Hastings, &c. as in address A. page 534.

Seals and Signatures to the above Address.

* K A U Z I E S.

- No. 1. Moolah Shurreat Ullah Khaun Waueyz, the chief Kauzy.
No. 2. Kauzy Sied Fuzl Ally.
No. 3. Kauzy Sied Sultaun Alum.

* N. B. The titles on many of the seals are very numerous.—In the translation it has been thought necessary to retain only the most familiar.

The numbers prefixed to the names in the translation, refer to as many corresponding numbers in the original.

No. 4. Kauzy Sujed Ameen U Deen.

Under this seal is written,

A supporter of students, the son of Kyaut Muzzeid, who was the son of Shurreeff Udeen, proprietor of the village Birtooly, in the purgunnah of Rotas, by the mother's side, grandson of the Kauzy Shooker Ullah, who was the son of Cauzy Peer Mahommed, the hereditary Kauzy of the purgunnah of Kauter, in the Sircar of Bahar. This subscriber is also Naib of the Kauzy of the Foujdar of the district of Patna, in the Soobeh of Bahar.

No. 5. Cauzy Subghut Ullah.

Under this seal is written, *

The contents of this paper are strictly true ; Kauzy of the purgunnah of Burragong, and Boonea, and Punwaurah, in the Sircar of Shawabad, in Bahar.

M O O F T I E S.

No. 6. Moofly Sujed Ibrahim Hofein.

Under this seal is written,

“ Fact.”

No. 7. Moofly Doft Mahommed.

Under this seal is written,

“ Fact.”

No. 8. Moofly Sujed Fuzl Ullah.

Under this seal is written,

“ Fact.”

No. 9. Moofly Sheikh Muffly Oolah.

Under this seal is written,

“ Fact.”

No. 10. Moofly Sujed Mahommed Hofein.

Under this seal is written,

“ In truth, Mr. Hastings was famous and celebrated
for his goodness.”

*Suddarut Punnah, i. e. Officers appointed by the Crown to superintend
the Charity Lands.*

No. 11. Zein U Dein Ally Hyder Khan.

Under this seal is written,

“ The seal of the Sudder of the Soobah of Bahar ;

“ whatever is written in this paper is strictly true.”

No. 12. Sujed Wully Allum, Motehurully, or procurator appointed by the English government for the purpose of superintending the interest of those holding charity lands in the district of Bahar.

C A N O O N G O E S.

No. 13. Roy Bulwunt Sing.

Under this seal is written,

“ Roy Bulwunt Sing, Canoongoe of the Sudder of

“ the Soobah Bahar, and an immediate servant

“ under the Emperor, bears testimony to the truth

“ of this paper.”

No. 14.

No. 14. Abdhoo Peim Chund.

Under this seal is written,

“ Peim Chund, a servant of the Emperor, a Mohurrer
“ of Roy Bulwunt Sing, and of Roy Purfud Ram,
“ Canoongoes of the Sudder of Bahar.”

No. 15. Roy Nirmul Sing, son of Purrein Sing.

Under this seal is written,

“ Roy Nirmul Sing, the Canoongoe of the Sudder of
“ Bahar, bears testimony to the truth of this paper.”

No. 16. Sittaram Sahoy.

Under this seal is written,

“ Sittaram, the Gomastah of Roy Nirmul Sing, the
“ Canoongoe of the Sudder of Bahar, is perfectly
“ ——— and satisfied.”

No. 17. Roy Perfudram.

Under this seal is written,

“ Roy Perfudram, an immediate servant of the Em-
“ peror, and Canoongoe of the Sudder of Bahar,
“ bears testimony to the truth of this paper.”

No. 18. Akund Sing.

Under this seal is written,

“ The seal of Akund Sing, the Canoongoe of the
“ Sudder of the purgunnah of Ball, &c. in Sircar
“ Sarun.”

No. 19. The signature of Khemajeet Roy, the Canoongoe of the purgunnah of Milkie and Boosaury, in the Sircar of Hadgypoor, belonging to Bahar, by the pen of Behadre Sing, the deputy of the said Canoongoe.

No. 20.

No. 20. The signature of Roy Anoop Loll, and of Roushun Loll, Canoongoes of the purgunnah of Milkie, in the Sircar of Hadgypoor, belonging to Bahar, by the pen of Behadre Sing, Deputy of the said Canoongoe.

No. 21. Ram Sahoy Heim Sing.

Under the seal is written,

“ The signature and seal of Heim Sing, the Canoongoe
“ of the purgunnah of Noubut Poor Bullea, in the
“ Soobah of Bahar.”

No. 22. Rogonaut Sahoy.

Under the seal is written,

“ The signature and seal of Rogonaut Sahoy, the
“ grandson of Kishen dew Dofs, and the Canoongoe
“ of the purgunnah of Soroo, in the Sircar of Sha-
“ wabad, in Bahar.”

No. 23. Bhekun Loll.

Under the seal is written,

“ The signature of Bhekun Loll, the Gomastah of
“ Roy Perfud Ram, and Roy Nulwut Ram, the
“ Canoongoe of the Sudder of the Soobah of
“ Bahar.”

No. 24. Nuffurrut Ally.

Under the seal is written,

“ The signature of the Canoongoe of the purgunnah
“ of Saundeh.”

No. 25. The signature of Behadre Ally, the servant of the Emperor, the Canoongoe of the purgunnah and city of

Azee-

Azeemabad, in the Sircar and Soobah of Azeemabad.—

“ under the justice of Mr. Hastings I was happy.”

No. 26. The signature of Odey Chund, the Gomastah of Sheikh Behadre Ally, Canoongoe of the purgunnah of Azeemabad.

No. 27. The signature of Bowanny Sing, a servant of the Emperor, and a Canoongoe of the purgunnah and city of Azeemabad, in the Sircar and Soobah of Bahar.—“ In the justice
“ of Mr. Hastings I was pleased and happy.”

No. 28. The signature of Kishun Chund, the Gomastah of Bowanny Sing, and Canoongoe of the purgunnah Havelee of Azeemabad.

No. 29. The signature of Bolanaut, a servant of the Emperor, and a Canoongoe of the purgunnah and city of Haveley Azemabad.—“ In the time of Mr. Hastings I was
“ happy, in a state of perfect ease.”

No. 30. Doorgah Sahoi, the Gomastah of Bolanaut Canoongoe.

*Omrabs and the Sons of Omrabs, Khans, Munsubdars, and
Zemcendars, being Mahomedans.*

No. 31. Moneer ul Molk Moneer ul Dowlah Khan Zummaun Khan Behadre Nadir Jung.

Under the seal is written,

“ In doing good to mankind, Mr. Hastings had no
“ equal.”

No. 32. Mahommed Mostekeem Khan.

Under this seal is written,

“ Mahommed Mostekeem Khan, son of the Nawaub

Mozuffer Khan, who was the nephew of the Ameer ul Amrah Nabob Sumfaum ul Dowlah Kaundowran Behadre, who was the chief Bokhsly of all Hindostan."

No. 33. Mahommed Khan Behadre ul Molk Delawurjung.

Under the seal is written,

" The son-in-law of the Nawaub Moneer ul Dowlah
" Reiza Cooley Khan Behadre Nadir Jung."

No. 34. Sujed Mahommed Khan.

Under his seal is written,

" Sujed Mahommed Khan, the grandson of the Na-
" waub Moreed Khan, deceased."

No. 35. Himmut Khan Behadre.

Under his seal is written,

" Grandson of the Nawaub Azum Khan Azum ul
" Dowlah Shumsheer Jung Behadre, who was the
" son of the Nawaub Musleh udeen Khaun Musleh
" O Dowla Behadre."

No. 36. Sujed Lutf Ally Khan.

Under his seal is written,

" I, the humblest of the servants of God, am a grand-
" son of the Nawaub Azum Khan Azum U Dowlah
" Shumsheer Jung Behadre, and the son of Sujed
" Ameer Mohummed Khan Behadre.—I affirm,
" swearing by the prophet, and by the holy fathers,
" upon all of whom be the grace of God, that
" without ever having seen Mr. Hastings, I am
" thankful to him.—In truth, that excellent Gen-
" tleman

“ tleman was without an equal.—Even, in former
“ times, there were few rulers so just, and possessed
“ of such liberality, that all mankind, from the
“ high to the low, from the great to the small,
“ should, on all accounts, be thankful to him ;
“ that not one individual of the whole human race
“ should complain of him.—God is witness, that
“ the late Governor General is one of those rulers
“ who are of distinguished eminence. Wherever
“ he is, may God preserve him under his holy care
“ and protection.”

No. 37. Sujed Sheer Ally Khan Behadre.

Under his seal is written,

“ Sujed Sheer Ally Khan, son of Sujed Mahommed
“ Kofeen Khan Behadre, who was the son-in-law
“ of Sujed Abdul Ally Khan Behadre Shujah Jung.”

No. 38. Abdul Huffun Khan.

Under his seal is written,

“ The son of the Nawaub Himmud Khan.”

No. 39. Hosein Ally Khan.

Under his seal is written,

“ The grandson of Salim Ally Khan, deceased, and
“ the nephew of Kulb Ally Khan, deceased, Da-
“ roga of the Adawlut of the Soobah Bahar.”

No. 40. Bubber Ally Khan.

No. 41. Ally Azcem Khan Behadre.

Under his seal is written,

“ Ally Azcem Khan, the zemindar of the Sircar of

“ Gauzipoor, in the Soobah of Allahabad, and
“ proprietor of lands in the Soobah of Bahar,—I
“ am perfectly satisfied with, and grateful to Mr.
“ Hastings. I hercunto affixed my seal the 2d of
“ Jummady ul Omrah, in the fuffily year 1195.”

No. 42. Meerza Abdoola.

Under his Seal,

“ Meerza Abdoola, the son of Kulb Ally Khan, who
“ was the son of Ally Cooly Khan.”

No. 43. Wully Oolla Khan.

Under his seal is written,

“ Wully Oolla Khan, a fervant of the Emperor, a
“ Jageerdar, is the son of Ghwolaum Imaum a
“ Dein Khan, deceased, who was the fister's son
“ of the Nawob Ahumed Khan, deceased.—What
“ is written in the text is exempt from all doubt.”

No. 44. Mahommed Mukkeem Khan.

Under his seal is written,

“ There is no doubt in the above. In all that con-
“ cerned mankind, he was without an equal.”

No. 45. Mohommed Azeem Khan.

No. 46. Wahed Ally Beig.

Under his seal is written,

“ Wahed Ally Beig Khan, Ameen of the Soubah of
“ Bahar, bears testimony to this.”

No. 47. Sujed Abafs Ally Khan Ruzvy.

Under this seal is written,

“ Son of Sujed Affud Ally Khan, deceased, who was
“ the

“ the son-in-law of Suraj ul Dowla, deceased.—

“ In truth, he (Mr. Hastings) was a man of under-

“ standing, and worthy of governing.”

No. 48. Anal Greeb.

Under his seal is written,

“ Well known by the name of Sujed Fuzl Oolla

“ Khan Hofeiny.”

No. 49. Mahommed Ally Khan.

Under his seal is written,

“ Mahommed Ally Khan, the Daroga of the Fouje-

“ darry Adawlut for the district of Azeemabad,

“ and Soobah of Bahar, bears testimony to this

“ paper.—The contents of the text are true.”

No. 50. Sujed Ismaeel Ally Khan Behadre.

Under this seal is written,

“ Sujed Ismaeel Ally Khan, the son of Sujed Abdul

“ Ally Khan Behadre Shuja Jung, who was the

“ brother's son of the Nawab Izut Khan, the Sou-

“ bedar of Azeemabad.”

No. 53. Ahmud Ally Khan.

No. 54. Mahommed Ally Khan.

Under this seal is written,

“ Mahommed Ally Khan, the son of Khadim Hofein

“ Khan.”

No. 55. Aboo Tooraub Khan.

Under this seal is written,

“ Palpably true.—Aboo Tooraub Khan is the son of

“ Abul Coffim Khan, deceased.”

No. 56.

- No. 56. Mehdy Neffaur Khan Behadre Sabit Jung.
No. 57. Abafs Cooley Khan Behadre Nuf rut Jung.
No. 58. Ahmud Ally Khan.
No. 59. Fedarr Ally Khan, commonly called Abul Coffim.
No. 60. Fedarr Hofein Khan.
No. 61. Huffun Mahommed Khan.
No. 62. Ahmud Nuwaz Khan.
No. 63. Hedayet Hofein Khan.

Under this feal is written,

“ Thank God for all things.—I have feen the truth of
“ what is written in this paper.”

- No. 64. Enayet Hofein Khan.
No. 65. Erfhaud Khan.

Under this feal is written,

“ Erfhaud Khan, the fon of the Nawaub Ameen ul
“ Dowlah Behadre.”

- No. 66. Sujed Hyder Ally Khan.

Under this feal is written,

“ So long as Mr. Haftings was governor of the
“ Soobah of Bengal, &c. no evils reached me; on
“ the contrary, I continued in perfect eafe.”

- No. 67. Mahommed Beig Khan.

Under his feal is written,

“ The fon of Meer Meyher Ally Khan.”

- No. 68. Mahommed Reza Khan.

Under this feal is written,

“ Mahommed Reza Khan, the fon-in-law of Abul
“ Coffim

“ Coffim Khan, deceased.—There is no doubt of
“ the justice and equity of Mr. Hastings.”

No. 69. Hardy Ally Khan, physician.

No. 70. Shurruf Ally Khan Ibn Hichkum.

No. 71. Moonshurruf Ally Khan Ibn Hichkum.

No. 72. Nuwaufish Hosein Khan.

Under this seal is written,

“ Evidently true.”

“ Nuwaufish Hosein Khan, the grandson of Abul

“ Coffim Khan, deceased.”

No. 73. Nuwaufish Huffun Khan.

“ Evidently true.”

“ Nuwaufish Huffun Khan, the grandson of Abul

“ Coffim Khan, deceased.”

No. 74. Ghawzy u Deen Ally Khan.

Under this seal is written,

“ Evidently true.”

No. 75. Bismilla Khan.

Under this seal is written,

“ There is no doubt of this.”

No. 76. Morein u Deen Ally Khan.

No. 77. Abkarkhaun Behadre.

Under this seal is written,

“ Mr. Hastings was the benefactor of mankind, and

“ in every thing worthy of a ruler was without an

“ equal. I am a Munsubdar of the Emperor.”

No. 78. Khaujeh Khulleel ullah Khan Behadre.

No. 79.

No. 79. Hafiz Ghwolaum Ally Khan.

Under this seal is written,

“ The son of Fayez Ally Khan, deceased, who was
“ the Bokshy and Naib of the Soobah of Azeema-
“ bad under Mohaubut Jung.—I swear by my
“ God and my prophet, that during the time of
“ Mr. Hastings’s government I lived in perfect
“ peace, and that I was much concerned at his
“ departure.”

No. 81. Zuffer Cooly Khan.

No. 82. Mahommed Askurry Khan.

Under this seal is written,

“ The grandson of Fayez Ally Khan, deceased, the
“ Bokshy of Nawaub Mohaubut Jung.”

No. 83. Mahommed Hofein.

No. 84. Mahommed Ally Khan.

Under his Seal is written,

“ In protecting the subjects, and in whatever was
“ worthy of a chief, he was unequalled.”

No. 85. Azeem ulla Khan.

No. 86. Mahommed Tucky Khan Behadre.

Under his seal is written,

“ In protecting the subjects, and in whatever was
“ worthy of a chief, he was unequalled.”

No. 87. Mahommed Yâr Khan.

Under this seal is written,

“ It is palpably true, and I am satisfied and thankful.”

No. 88. Sheer Afgun Khan Behadre.

- No. 89. Kunaumut ulla Khan.
No. 90. Muffeeh ulla Khan Behadre.
No. 91. Ghwolaum Durgah Meer Khan Kaudry.
No. 92. Ally Zamin Khan.

Under this seal is written,
“ He was a just man.”

- No. 93. Juggut ulla Khan.
No. 94. Nafir Ally Khan.
No. 95. Amceer Khan.
No. 96. Huffun Ally Khan.

Under this seal is written,
“ Palpably true.”

- No. 97. Maufoom Ally Khan.

Under this seal is written,
“ Mr. Hastings Behadre was a very just man, a pro-
“ tector of the people, and a benefactor of the
“ poor.”

- No. 98. Mahommed Cooley Khan.

Under this seal is written,
“ I was, and am satisfied with, and thankful to him.”

- No. 99. Meer Mahommed Takir Khan.

Under this seal is written,
“ Mr. Hastings Behadre — may God increase his
“ prosperity—was a man of justice, and a pro-
“ tector of the poor.—All mankind are satisfied
“ with, and thankful to him. I also Meer Ma-
“ hommed Takir Khan, the grandson of Nawaub

“ Akeedutmund Khan Behadre, am fatisfied with
“ him, and thankful to him.”

No. 100. Rajah Yekbaul Ally Khan Behadre.

Under this feal is written,

“ Rajah Yekbaul Ally Khan Behadre, the fon of
“ Rajah Kaumgar Khan Mien, and Zemindar of
“ the purgunnahs of Nurhot and Summoy, &c.
“ in the Sircar and Soobah of Bahar.”

No. 101. Ghwolaum Hoffeein Khan.

Under this feal is written,

“ The grandfon of Meerza Moyen u Dein Khan,
“ deceafed.”

No. 102. Niffaur Hoffeein Khan Hoffeeiny.

Under this feal is written,

“ Notoriously true.”

No. 103. Khulleel Beig Khan.

Under this feal is written,

“ Notoriously true.”

No. 104. Buddy o Deen Mahommed Khan.

Under this feal is written,

“ Son of Mahommed Khan, deceafed, a phyfician.—
“ From the commencement of Mr. Haftings’s
“ government I never experienced any hardship.”

No. 105. Meer Ghwolaum Hoffeein Khan.

Under this feal is written,

“ From the commencement of Mr. Haftings govern-
“ ment I never experienced any hardship.”

No. 106.

No. 106. Abdoolakhaun.

Under this seal is written,

“ It is strictly true.”

No. 107. Mahommed Tucky Khan.

No. 108. Sumfaum u Deen Khan.

Under this seal is written,

“ It is strictly true.”

No. 109. Meer Mahommed Bauker Khan Behadre.

Under this seal is written,

“ In the justice of Mr. Hastings, and in his protection
“ of the people, we are all satisfied and thankful;
“ and during the time of his government we led
“ our lives in great tranquillity, and continued in
“ abundance, inasmuch that the very name of op-
“ pression was not heard of.”

No. 110. Hyder Ally Khan.

Under this seal is written,

“ There is no doubt in this.—From the commence-
“ ment of his government till his departure for
“ Europe, the inhabitants and people of this country
“ always continued in peace and security, and they
“ pray for the king and country.”

Beegums, and other Women of Rank.

No. 111. Soubed U Nissa Beegum.

Under this seal is written,

“ Daughter of the Nawaub Abdul Ally Khan Be-
“ hadre,

“ hadre, son of the Nawaub Sultaun Khan Behadre,
“ one of the nobles of Jchaugur, and the wife of
“ Shah Ally Khan.”

No. 112. Zaheetal Niffau Beegum, widow of Jullnl u Deen Hofen
Khan, deceased.

No. 113. Zeenut ul Niffau Beegum.

No. 114. Buddrah ul Niffau.

No. 115. Inaut Fatimeh.

No. 116. Khier ul Niffau.

No. 117. Wully ul Niffau Beegum.

No. 118. Sujedeh Khodeyjh.

No. 119. Sahib ul Niffau, wife of Ahmed Ally Khan.

No. 120. Ahmetun Akremutun.

No. 121. Fatimeh Beegum.

No. 122. Ahumudy Beegum.

No. 123. Doordauneh Beegum.

No. 124. Ayelun Niffau Beegum.

No. 125. The Widow of Meer Askerry, deceased.

No. 126. Juggroo Beegum.

No. 127. Moofummaut Saulyhau.

Under this seal is written,

“ Notoriously true.”

“ The seal of the wife of Imaum Boksh Khan,
“ the son of Kawzy Thiffun Roza Khan,
“ deceased.

No. 128. Jeuny Beegum.

No. 129. Beeby Fatimeh Jaun Beegum.

No. 130.

No. 130. Motihaulikaun of Rajah Sadoo Ram, deceased.

Under this seal is written,

“ From the prudent counsels and perfect wisdom of
“ Mr. Hastings Behadre, he was in truth a man of
“ justice, and a protector of the people.”

No. 131. Fatimah. The world obtained its deliverance by Fatemeh.

No. 1st 132. Mukun ul Niffau Beegum,

No. 132. Noor Beeby : “ From Noor Beeby, (i. e. the Light of a
“ Woman) the world obtained its redemption.”

No. 133. Afsmut Beegum.

No. 134. Shauiftch Beegum.

No. 135. Poly Beegum.

No. 136. Mooly Beegum.

No. 137. Doordaunch Beegum.

No. 138. Motehaulikaun Auleh Hossain Khan,

Under this seal is written,

“ Notoriously true.”

*Men of Learning and Wisdom, Prelates, and Descendants of the
Prophets.*

No. 139. Ghwolaum Huffun.

Under this seal is written,

“ The descendant and representative of the dignified
“ Shah Arzanny, the model of the followers of
“ God, the chief of those possessing religious
“ wisdom.—May God sanctify his honoured tomb!
“ —The contents of this paper are strictly true.”

No. 140.

No. 140. Wauris Ally.

Under this seal is written,

“ Witness Wauris Ally, the Motchwully (superintendent of the charity lands) in the purgunnah of Ghyaus Poor, in the Sircar and Soobah of Bahar.”

No. 141. Mowlavy Moheb Ullah.

No. 142. Yekkeem Ally Motchwully.

No. 143. Burkut Ullah Hofeiny.

Under this seal is written,

“ The seal of the Daroga of the customs of Azcemabad.”

No. 144. Mahommed Fiez Riozoy Hofeiny.

Under this seal is written,

“ The keeper of the stone bearing the impression of the foot-step of the prophet, near the garden of Jaffier Khan, and well known by the name of Sujed Meer.”

No. 145. Tubbyeut ul Huck Hofeiny.

Under this seal is written,

“ The supporter and preceptor of students, well known by the name of Mofafir ul Hofeiny ul Behary.”

No. 146. Mowlavy Fiozl ullah unfauvy Calendar Kadry.

Under this seal is written,

“ He (Mr. Hastings) was in truth a just man.”

No. 147. Ghwolaum Hofein Hofeiny.

Under this seal is written,

“ We people were and are always thankful to

“ Mr. Hastings : during his time we suffered not
“ the least hardship.”

No. 148. Abdul Wahaub.

Under this seal is written,

“ Strictly true.

No. 149. Fiozl Ally, of the race of Gung Shukker (a famous durveish)

No. 150. Yaur Ahmed.

Under this seal is written,

“ Palpably true.”

No. 151. Fiozl Ally.

No. 152. Ahmuddy Mokhtaur.

Under this seal is written,

“ There is no doubt in this.”

No. 153. Mutteahu Rehmaum Apfum ul Kutteteun.

Under this seal is written,

“ Ahmud Ally.”

No. 154. Sheikh Mutteah U Rehman, Jemmatdar under the
English government, a native of Islamabad, reader of
the Khutbah on the part of the King, and under the
Foujdar.

No. 155. Sujed Mahommed Cheraug Ally.

No. 156. Sujed Nyauzy.

No. 157. Meer Sufder Ally.

Under this seal is written,

“ There is no doubt in this; and in the conduct
“ which becomes a chief he was unequalled.”

No. 158. Mahommed Ashruff.

Under this seal is written,

“ There is no doubt in this.”

No. 159.

No. 159. Khaujeh Monim Buksh.

No. 160. Ghwolaum Zelauny.

No. 161. Sujed Mahommed Tahir.

Under this seal is written,

“ I the offending slave of God, Mahommed Tahir,

“ am the son of Mahommed Hosein Hoseiny.—

“ The contents of this paper are strictly true.”

No. 162. Huffun Ally.

Under this seal is written,

“ The son-in-law of Salim Ally Khan, deceased,

“ Darogah of the Adaulut.”

No. 163. Isfindyar Beig.

No. 164. Sujed Mobauruck.

No. 165. Meer Mustophah Ally.

No. 166. Sujed Meer Ally.

Under this seal is written,

“ It is universally known that he was a man of justice.”

No. 167. Sujed Burkaut Ally.

Under this seal is written,

“ It is notoriously true that he was a just man.”

No. 168. Sujed Hyder Ally.

No. 169. Mahommed Moez.

Under this seal is written,

“ Witnesses to the contents of this paper.”

No. 170. Sujed Mahommed Kummauly.

No. 171. Abu Mahommed.

Under this seal is written,

“ Whatever is written in the body of this paper is

“ notoriously true.”

No. 172.

No. 172. Ruffhid Ally.

No. 173. Wauris Ally.

Under this seal is written,

“ Palpably true.”

No. 174. Kulb Ally.

No. 175. Sujed Afzul Ally.

No. 176, Meer Allcem ullah.

No. 177. Sujed Koodrut ullah.

No. 178. Abdapoo Baub ullah.

No. 179. Ghwolaum Yehyah.

No. 180. Minnut ullah.

No. 181. Sujed Kulb Ally.

Under this seal is written,

“ I Sujed Kulb Ally, the son of a prelate, and a
“ native of Guija, bear this testimony, that a per-
“ son so endowed with all laudable qualities never
“ before came from the country of the Frungs.
“ All virtues which are proper for the nature of
“ man were conspicuous in him.”

No. 182. Azeem ullah.

Under this seal is written,

“ A prelate in the Soobah of Bahar.”

No. 183. Nafir Ally.

Under this seal is written,

“ I bear testimony to the truth of this, that a person
“ so endowed with all laudable qualities never
“ before came from the country of the Frungs.

“ All the virtues which are necessary to the nature
“ of man were conspicuous in him.”

No. 184. Jewaker.

No. 185. Moneer ul Huck.

No. 186. Ghwolaum Neamut.

No. 187. Ghwolaum Neamut.

Under this seal is written,

“ Palpably true.”

No. 188. Rehman Hosein.

No. 189. Meer Fyez u Deen Hosein.

No. 190. Fuzzel Ally.

No. 191. Sujed Cheraug Ally.

No. 192. Mohil Ally.

Under this seal is written,

“ Witness Mohil Ally, an Aimadar of the pergun-
“ nah Ghyauz Poor.”

No. 193. Rehmut Ally Ahmudy.

No. 194. Sujed Mahommed Tucky.

No. 195. Ally Akbar.

No. 196. Burkutullah.

No. 197. Allabd Sujed Wully Allum.

No. 198. Sujed Shaw Allum, a prelate.

No. 199. Alabd Sujed Roostum Ally.

No. 200. Sujed Behadre Ally.

No. 201. Auly Nubby aulaud Ally.

No. 202. Sujed Soojaut Ally.

No. 203. Yah Hyder Kurraur.

No. 204. Zeca U Deen Mahommed.

No. 205. Velayet Ally.

No. 206. Munnooar Ally.

Under this seal is written,

“ God knows and beholds this.”

No. 207. Meerza Mohummuddy.

No. 208. Mahommed Moraud.

No. 209. Zeen U Deen Ahmud.

No. 210. Mahommed Behadre.

No. 211. Amaunut.

No. 212. Abdahoo Hoor:

No. 213. Iraudut.

No. 214. Jemahir.

No. 215. Kulleem Ullah.

No. 216. Mahommed Askery:

No. 217. Ghwolaum Jelauny.

No. 218. Meer Cossim Ally.

Under this seal is written,

“ There is no doubt of this, that he was a man of

“ justice. I am the son of Meer Nuffur Ullah.”

No. 219. Nurwulley Shah Wully.

No. 220. Sujed Sufder Ally.

Under this seal is written,

“ So long as Mr. Hastings Behadre was the governor

“ of the Soobah of Bengal, &c. on no account

“ did any hardship befall me ; on the contrary, I

“ remained in perfect ease.”

No. 221. Meer Hosiiny, the son of Meyher Ally Khan.

No. 222. Ghwolaum Hosiin.

No. 223. Meerza Jecig Ally Baig.

No. 224. Sujed Hofein Ally.

No. 225. Meer Mahommed Hofein.

Under this seal is written,

“ The seal of Meer Mahommed Hofein, a merchant.”

No. 226. Kummur U Deen.

No. 227. Sullabut Khan, the son of Baukir Khan.

No. 228. Sheikh Mahommed Sullah.

Under this seal is written,

“ A native of Lahore.”

No. 229. Ghwolaum Mukhdoom.

No. 230. Mahommed Ismael Hofeiny.

No. 231. Mokurrun Ally.

No. 232. Sujed Roostum Ally.

No. 233. Sujed Mahommed Moktedir.

No. 234. Mahommed Dayim.

No. 235. Khoorum Ally.

No. 236. Zeca U Deen Mahommed.

No. 237. Mahommed Huffun.

No. 238. Khizur Khan.

No. 239. Fyez Oolah.

No. 340. Mahommed Zummaun.

No. 241. Mahommed Waufil.

Under this seal is written,

“ All men are satisfied with and grateful to Mr. Haft-
“ ings for his good conduct. I know he studied
“ the good of the Company. To this I swear by
“ God.”

No. 224.

No. 242. Meer Bukshy.

No. 243. Mahommed Hofein.

Under this seal is written,

“ The seal and writing of Meer Mahommed Hofein,
“ merchant.”

No. 244. Syed Ghwolaum Hyder.

No. 245. Sujed Kurrin Ally.

No. 246. Hoo Allah Akbar.

No. 247. Abdul Kadir.

No. 248. Ghwolaum Shurruf.

No. 249. Meer Khier U Deen Hofein.

Under this seal is written,

“ The son of Meer Moraud Ally, the Bokshy of
“ the Nawaub Ihteram U Dowlah Behadre, the
“ Soobahdar of the Soobah of Azeemabad.”

No. 250. Sujed Ahfun Ally Hofeiny.

No. 251. Amaunut Ullah.

No. 252. Bundeh Durgah Moraud Ally.

No. 253. Sujed Ameer Ullah.

No. 254. Mahommed Ameen.

No. 255. Sujed Meer Ally.

No. 256. Sullaumut Ullah.

No. 257. Mahommed Huffool.

No. 358. Abdahoo Fackeer Ameer Ullah Hofeiny.

No. 259. Mahommed Summy.

No. 260. Meer Jummaul U Deen.

No. 261. Mahommed Naumdaur.

No. 262. Hummadauny Hofeiny.

No, 263.

- No. 263. Meer Shurruf Ally.
No. 264. Wauris Ally.
No. 265. Mahommed Mehdy.
No. 266. Sujed Wauris Ally.
No. 267. Ghwolaum Ally.
No. 268. Sujed Shah Imaum.
No. 269. Shahab Ally.

Under this seal is written.

“ Strictly true.”

- No. 270. Mahommed Bauker.”
No. 271. Mahommed Hofun.
No. 272. Ghwolaum Nubby.
No. 273. Fuzzl Ally Shurréef.

Under this seal is written,

“ God knows and beholds.”

- No. 274. Nuwaufish Ally.
No. 275. Imdaud Ally.
No. 276. Abdahoo Abdaloo Beig.

Under this seal is written,

“ Strictly true.”

- No. 277. Mahommæd Muffah.
No. 278. Sujed Roostum Ally.
No. 279. Ghwolaum Mostapha.
No. 280. Rohullah.
No. 281. Sujed Noor Ally.
No. 282. Murza Fuzzl Ally.
No. 283. Mahommed Roushun.
No. 284. Loll Mahommed.

No. 285.

No. 285. Sief Ally.

No. 286. Mohib Ally.

No. 287. Sheikh Khier ullah.

No. 288. Mahommed Shurruff.

Under this seal is written,

“ Strictly true.”

No. 289. Futteh Oolah.

No. 290. Meer Waueyz Ally.

Under this seal is written,

“ In the protection of the people, and in the conduct

“ that becomes a chief, he was without an equal.”

No. 291. Sheikh Jummun.

No. 292. Abdahoo Mahommed Ashoor.

No. 293. Mahommed Khier ullah.

No. 294. Mahommed Reza.

No. 295. Abdahoo Mahommed Nizam.

No. 296. Sheikh Nuffer ullah.

No. 297. Peer Mahommed.

Under this seal is written,

“ Strictly true.”

No. 298. Kauzim Hofein.

Under this seal is written,

“ Palpably true.”

No. 299. Meer Umjud Hofein.

No. 300. Sujed Shums u Deen Hofein.

No. 301. Mahommed Tahir.

No. 302. Zulfekhaur Ally.

No. 303. Sujed Futteh Ally.

No. 304.

No, 304. Ghwolaum Ally.

Under this seal is written,

“ Notoriously true.”

No. 305. Sufder Ally.

No. 306. Sheikh Abdoolah.

Under this seal is written,

“ Notoriously true.”

No. 307. Meer Ahmud Hofein.

No. 308. Meer Hofein

No. 309. Fehaum u Deen Mahommed, the Moonshy of the customs
at Azeemabad.

No. 310. Sulleem u Dein Hofeiny.

No. 311. Mahommed Fyawz.

No. 312. Khier Ullah.

No. 313. Mahommed Jammaul ul Huck.

No. 314. Mahommed Khulleel.

No. 315. Abdul Jullul.

No. 316. Ghwolaum Ally.

No. 317. Meer Ghwolaum Ally.

No. 318. Sujed Hamid Jeely.

No. 319. Sujed Khulleel.

No. 320. Nujeeb Ullah.

No. 321. Sujed Rizvaun Ally.

No. 322. Wauhed Ally.

No. 323. Ghwolaum Mortizah.

Under this seal is written,

“ In his good conduct, and perfect wisdom,

“ Mr.

“ Mr. Hastings Behadre was in truth worthy of
“ government.”

No. 324. Peer Mahommed.

No. 325. Ghwolaum Abdul Kader.

Under this seal is written,

“ He was indeed a man of truth and justice.”

No. 326. Ghureeb Ullah Hofsiny.

No. 327. Sujed Hidauyet ullah.

Under this seal is written,

“ Notoriously true.”

No. 328. Khaujeh Ghwolaum Hafis Kauderry ul Hofsiny.

No. 329. Bundeh Durgah Muffy ullah.

No. 330. Ruffeeah u Deen Mahommed.

No. 331. Shah Mahommed Jaffer Ally.

Under this seal is written,

“ Notoriously true.”

No. 332. Mahommed Meyhdy.

Under this seal is written,

“ Notoriously true.”

No. 333. Ameen ullah Hofsiny.

No. 334. Fakeer Haddy Ally.

No. 335. Sheikh Kudrut ullah.

No. 336. Fukkeer Durgah Nubby Mahommed Muffy.

No. 337. Roufhun Ally.

Under this seal is written,

“ Mr. Hastings Behadre was in truth a man of justice,
“ and a protector of the people.”

No. 338. Hubbeek ullah.

No. 339. Shah Ghwolaum Hofein.

No. 340. Shah Meer Ally.

No. 341. Noor u Dein Ally.

No. 342. Mahommed Azeem Hofeiny.

No. 343. Fuffy ullah.

No. 344. Sujed Imaum Boksh.

No. 345. Mahommed Ally.

No. 346. Kulb Ally Ruzwy.

Under this seal is written,

“ In this there is no doubt.”

No. 347. Sujed Ghwolaum Huffun.

Under this seal is written,

“ In this there is no doubt.”

No. 348. Sujed Feiz Ally.

Under this seal is written,

“ He was a just man.”

No. 349. Mahommed Illahy Boksh.

Under this seal is written,

“ In this there is no doubt.”

No. 350. Shah Meer Ally.

No. 351. Innayet ullah Hofeiny.

No. 352. Alabdul Moosnib Mahommed Jaffer.

Under this seal is written,

“ We people are entirely satisfied with, and thankful
“ to Mr. Hastings, for his justice and protection of
“ the people.”

No. 353.

No. 353. Mahommed Farook.

Under this seal is written,

“ The nephew of Choudry Abdul Ruffool, the
“ Choudry of Azeemabad.”

No. 354. Sujed Ally.

No. 355. Mahommed Auriff.

No. 356. Hajee Mahommed Khâyim.

Under this seal is written,

“ Of the justice and equity of Mr. Hastings there is
“ no doubt.”

No. 357. Abdahoo Mahommed Mullich.

Under this seal is written,

“ We are greatly satisfied with and thankful to
“ Mr. Hastings for his justice, his munificence to
“ the poor, and his protection of the people.”

No. 358. Mahommed Mehdy.

Under this seal is written,

“ There is no doubt or question that Mr. Hastings
“ was just ; that he supported the needy ; and that
“ he protected the people : we were satisfied and
“ thankful.”

No. 359. Mahommed Moneer Kedwanjee.

No. 360. Mofauhib Ally.

No. 361. Mahommed Ally Kedwanjee.

No. 362. Mahommed Ally Kedwangee.

No. 363. Meer Ghwolaum Hosein Mahommeddy.

No. 364. Iftekhhar Beig.

No. 365. Afghur Hofein Hofeiny.

Under this seal is written,

“ This is notoriously true.”

No. 366. Meer Ghwolaum Shurruf.

Under this seal is written,

“ I never heard or saw that Mr. Hastings was guilty
“ of injustice to any man.”

No. 367. Ghwolaum Mustopha.

No. 368. Laul Mahommed.

No. 369. Rockun Ally Hofeiny.

Under this seal is written,

“ In truth, he was unequalled for the protection of
“ the people : whoever petitioned him obtained his
“ desire.”

No. 370. Ummeer u Deen Hofein.

Under this seal is written,

“ Mr. Hastings was a man of understanding.”

No. 371. Mahommed Abid.

Under this seal is written,

“ Mr. Hastings Behadre was, in the protection of
“ the people, and in the improvement of the country,
“ a ruler without an equal : during the time of that
“ Gentleman's government I was pleased and
“ happy.”

No. 372. Meer Inauyet ullah Hummundauny ut Hofeiny.

Under this seal is written,

“ Mr. Hastings was in justice without a second.”

No. 373. Ghwolaum Ally.

Under this seal is written,

“ This is notoriously true.”

No. 374. Sujed Hummedauny Mahommedy ut Hofeiny.

Under this seal is written,

“ We were greatly pleased and satisfied with Mr. Hastings for his justice and for his protection of the people.”

No. 375. Sheikh Abdullah Moneyre.

“ Mr. Hastings Behadre was a just man, and a protector of the people, so that in his time no hardship was experienced.”

No. 376. Sheikh Barrullah Moneyry.

“ Mr. Hastings Behadre, in the throne of justice and of protection to the people, was such a man, that he has no second.”

No. 377. Mahommed Sir Bolond.

Under this seal is written,

“ It is notoriously true.”

No. 379. Sujed Burkut ullah.

Under this seal is written,

“ I call God to witness, that all men were satisfied and happy during the administration of Mr. Hastings, and that no man suffered any hardships.”

No. 380. Muffeeh ullah.

No. 381. Meer Futteh Ally.

No. 382.

No. 382. Meer Aha Ally Hofeiny.

Under this seal is written,

“ From the commencement of the English Company’s
“ government, a man so just as Mr. Hastings has
“ not come to this country.”

No. 383. Sujed Mahommuddy.

No. 384. Sujed Boorhaun Ally.

No. 385. Abdoolah.

No. 386. Sujed Muffeeh u Deen Hofein.

Under this seal is written,

“ It is notoriously true.”

No. 387. Shums u Deen.

No. 388. Ahmed Ally.

No. 389. Husby ullah.

Under this seal is written,

“ I am a witness to the truth of this.”

No. 390. Meerza Lutf Ally Beig, bears testimony.

No. 391. Sheikh Ghwolaum Mortiza, bears testimony.

No. 392. Sheikh Boodun, bears testimony.

No. 393. Meerza Bogul Beig, bears testimony.

No. 394. Mortiza Kooly Beig, bears testimony.

No. 395. Chumroo Khan.

Under this seal is written,

“ He was a protector of the people, and a dispenser of
“ justice.”

No. 396. Ghwolaum Mahommed.

Under this seal is written,

“ I bear testimony to the truth of this.”

No. 397.

No. 397. Eefo of Reza.

Under this seal is written,

“ He was a protector of the poor, and a dispenser of
“ justice to the people.”

No. 398. Nuffur ullah.

No. 399. Ghwolaum Hofein.

Under this seal is written,

“ It is notoriously true.”

No. 400. Sheikh Mahommed Mah.

No. 401. Yah Hofein.

No. 402. Sujed Mohib Ally Hofeiny.

No. 403. Shums u Deen Ally.

No. 404. Sujed Inayet ullah Hofeiny.

No. 405. Sufdur Ally.

Under this seal is written,

“ It is notoriously true.”

No. 406. Sujed Rehmud ullah.

Under this seal is written,

“ In this there is no doubt.”

No. 407. Durveish Ally.

Under this seal is written,

“ Warren Hastings Behadre was famous for the dis-
“ pensation of justice, and the protection of the
“ people. We, during the period of his govern-
“ ment, were satisfied, thankful, and at ease.”

No. 408. Ghwolaum Muffeeh u Deen.

No. 409. Ghwolaum Mahommed.

No. 410. Sujed Mohib Ally Hofeiny.

No. 411.

No. 411. Sheikh Ghwolaum Mohy u Deen.

No. 412. Abdahoo Burkut ullah.

No. 413. Wauris Ally.

Under this seal is written,

“ In this there is no deception.—I am a Rozenchdaur
“ in the Sircar of Shahabad.”

No. 414. Sheikh Kurreem ullah.

No. 415. Kaumil Ally Wully.

No. 416. Sujed Nuzur Ally.

Under this seal is written,

“ The contents are notoriously true.”

No. 417. Shah Fuzl Ally.

No. 418. Bundch Durgahy.

Under this seal is written,

“ It is notoriously true.—I am the Naib Khaunfamaun
“ of the Nizamut in the Soobah of Bahar.”

No. 419. Khaujeh Jummaul, the son of Husein Bokth.

No. 420. Sujed Mahommed Aflem.

Under this seal is written,

“ The justice of Mr. Hastings Behadre, and pro-
“ tection of the poor, are as clear as the sun.”

No. 421. Shah Meer Butchoo.

Under this seal is written,

“ As a just man he was without his like.”

No. 422. Durveish Ally.

Under this seal is written,

“ I am manager of affairs for the family of Meer
“ Mahommed

“ Mahommed Humaum, who was the son of Meer
“ Mahommed Imaum Behary.”

No. 423. Mahommed Ally.

No. 424. Doau Ullah.

No. 425. Danish Ally.

Under this seal is written,

“ It is true, that Mr. Hastings Behadre was fit for
“ government, and for the dispensation of justice.
“ —We were satisfied with and thankful to him.”

No. 426. Meer Shurruff u Deen Huseiny.

Under this seal is written,

“ I, Meer Shurruff u Deen, am the brother of Meer
“ Afzul, the uncle of Meer Ashruff, an inhabitant
“ of Patna, and a dependant of the English Com-
“ pany Behadre. From the justice of Mr. Hastings,
“ his protection of the people, and his excellent
“ conduct towards them, the people of other coun-
“ tries desired, as for example, those of Cashmeer to
“ lift up their hands in prayer, that God would make
“ the English government the lot of their country.
—Many people delivered petitions to him.”

No. 427. Sujed Nujjef.

No. 428. Sujed Waurzullah Huseiny.

Under this seal is written,

“ The son of Meer Noor u Deen, deceased.—I
“ swear by the God of Kauba, that during the time
“ of Mr. Hastings I never suffered any hardship.”

No. 429. Nuffur ullah.

Under this seal is written,

“ It is true.”

No. 430. Mahommed Ally.

No. 431. Meer Noor ullah.

Under this seal is written,

“ It is true.”

No. 432. Khaujeh Mahommed Muhsoot.

Under this seal is written,

“ It is notoriously true.”

“ There is no doubt or question.—The Gomastah
“ of Khaujeh Summy.”

No. 433. Niffaur Ally.

Under this seal is written,

“ It is notoriously true.”

No. 434. Ruffee u Deen Hosein.

Under this seal is written,

“ In this there is no deception.”

No. 435. Loll Mahommed.

No. 436. Ghwolaum Ghous.

No. 437. Bundeh Durgah Ghwolaum Kutteb.

No. 438. Behadre Ally.

Under this seal is written,

“ It is strictly true.”

No. 439. Abdahoo Mahommed Rumzanny.

No. 440. Mahommed Roufham.

Under this seal is written,

“ Mr. Hastings was a just and equitable man.”

No. 441.

No. 441. Sheikh Tauj u Deen.

Under this seal is written,

“ It is strictly true that Mr. Hastings was a man of
“ justice, and that I am greatly distressed by his de-
“ parture.”

No. 442. Meer Sujed Ally.

Under this seal is written,

“ Mr. Hastings Behadre, in the business of protecting
“ the people, was a ruler without an equal.”

No. 443. Khajeh Nyam ullah.

“ Without doubt or question he was a man of justice.”

No. 444. Tahir Ally.

*Rajabs and Roys, and Zemeendars and civil Officers, and other Persons
of Rank, being Hindoos.*

No. 445. Intizaumul Moolk Maha Rajah Kullean Sing Behadre
Tehhoower Jung.

No. 446. Rajah Bowanny Sing Behadre.

No. 447. Roy Bunwaury Loll.

Under this seal is written,

“ I am the nephew of Maha Rajah Ram Narain
“ Behadre, and of the Maha Rajah Derege Narain
“ Behadre, Soobahdars of the Soobah of Bahar.
“ From the noble generosity and the princely munifi-
“ ficence of the governor, Mr. Hastings Behadre,
“ I with great gratitude continued in the manage-
“ ment

“ ment of the affairs of my said two honoured relations, and in the administration of Patna.”

No. 448. Rajah Buffunt Ram.

Under this seal is written,

“ The manager and representative, on the part of
“ Maha Rajah Ram Narain Behadre, the Soobedar
“ of the Soobeh of Azeemabad, commonly called
“ the Soobeh of Bahar, am very greatly satisfied
“ with and thankful to Mr. Hastings for his good
“ conduct.”

No. 449. Roy Sook Loll.

Under this seal is written,

“ The nephew of Maha Rajah Ramnarain Behadre,
“ deceased, the Soobedar of the Soobah of Azeemabad, commonly called the Soobah of Bahar.”

No. 450. Gunga Perfaud.

Under this seal is written,

“ The seal of the brother of Rajah Buffunt Roy.”

No. 451. Hurry Sing.

Under this seal is written,

“ A relation of the Rajah Buffunt Ram Saheb.”

No. 452. Zorauwur Sing.

Under this seal is written,

“ A relation of the Rajah Buffunt Ram Saheb.”

No. 453. Sing.

Under this seal is written,

“ The son-in-law of Roy Mohun Loll.”

No. 454.

No. 454. Himmüt Behadre.

“ The grandson of Rajah Moorly Dhur.”

No. 455. Bauboo Loll Sing Behadre.

Under this seal is written,

“ I, the well-wisher of the Company, am the nephew
“ of Rajah Moorley Dhur, the antient Hircarrah
“ of the Soobah of Azeemabad.”

No. 456. Shittaub Roy.

Under this seal is written,

“ The hereditary Dewan of the Maha Rajah Deerege
“ Narrain Behadre, Soobedar of Azeemabad.”

No. 457. Purfud Roy.

No. 458. Roy Ram Sahoy.

Under this seal is written.

“ The son of Rajah Noubut Roy, deceased, the
“ Soobehdar of the Soobah of Bahar, commonly
“ called Azeemabad.”

No. 459. Nadir Boksh Choudry.

Under this seal is written,

“ A Chowdry of Azeemabad.”

No. 460. Deenanaut.

Under this seal is written,

“ Deenanaut, the Vackeel of Maha Rajah Ruttun
“ Behadre Shah, the Rajah of Neepaul.”

No. 461. Surrup Narain.

Under this seal is written,

“ The signature and seal of Bauboo Surup Narain Sing,
“ Choudry

“ Choudry of Sircar Sarung, in the Soobah of
“ Bahar.”

No. 462. Roy Bowany Sahoy.

Under this seal is written,

“ In this there is no deception.”

No. 463. Rajah Beer Koonwur Sing.

Under this seal is written,

“ Rajah Beer Koonwur Sing, the Rajah of Sircar
“ Champaurun, in the Soobah of Bahar.”

No. 464. Surrupjeet Sing.

Under this seal is written,

“ The signature and seal of Surrupjeet Sing, the
“ choudry of the purgunnah of Surreefa, in the
“ Sircar of Hadjeepoor, in the Soobah of
“ Bahar.”

No. 465. Rajah Bikkramajeet Sing.

Under this seal is written,

“ The signature of the Rajah of Sircar Shawabad,
“ in the Soobah of Bahar.”

No. 466. Bishun Naut Roy.

No. 467. Mahtâb Roy.

No. 468. Diânat Roy.

No. 469. Roy Ram Churn.

No. 470. Atchunt Roy.

Under this seal is written,

“ It is strictly true that Mr. Hastings was a just
“ man, and a protector of the people.”

No. 471. Noubut Roy.

Under this seal is written,

“ I Noubut Roy, the Vackeel of Sujed Ghwolaun.
 “ Hosein Khan Behadre, know that there is no
 “ doubt or question as to the justice of Mr. Hast-
 “ ings, his protection of the people, or his
 “ humanity to all mankind. My constituent with
 “ a thousand tongues bestows praises on the govern-
 “ ment of Mr. Hastings, and his protection of
 “ the people. My constituent is entirely satisfied
 “ with Mr. Hastings, and prays for his welfare.
 “ My constituent is now residing at Hosenabad,
 “ the place of his Ultumghaw. Were he here,
 “ his seal would be affixed to this paper.”

No. 472. Hirdéal Dofs.

Under this seal is written,

“ Hirdéal Dofs, owner of the village Ahooneh, in
 “ the purgunnah of Beewung.—Mr. Hastings’s
 “ service of the country, his protection of the
 “ people, and his endowments as a ruler, are well
 “ known.”

No. 473. Jey Perfaud.

Under this seal is written,

“ Jey Perfaud, the humblest of God’s servants, am
 “ the owner of the village of Pryjooneh, in the
 “ purgunnah of Ghyauzpoor.—It is clearer than
 “ the sun, that all men were satisfied and thankful
 “ during Mr. Hastings’s administration, and I
 “ above all men.”

No. 474.

No. 474. Maha Rajah Adout Chund.

No. 475. Juggernaut Sahoy Bohore Sing Roy.

Under this seal is written,

“ It is palpably true, that no man can be offended

“ with a person of so much justice.”

No. 476. The signature of Choudry Behary Loll, of the purgunnah of Haveley Azcemabad.

“ During the administration of Mr. Hastings we were

“ satisfied and happy.”

No. 477. Afaulet Roy.

Under this seal is written,

“ The seal of the son of Rajah Sadooram.—Mr. Hast-

“ ings was a just man, and a protector of the

“ people.”

No. 478. Mahtaub Roy.

Under this seal is written,

“ It is notoriously true.”

No. 479. Cheit Roy Tehwuckooly.

Under this seal is written,

“ Surristekdaur of the Pay Office and of the Intelli-

“ gence Offices of the Soobah of Bahar.—What

“ is written in the body of this paper is true.”

No. 480. Sullaumut Roy Tehwuckooly.

No. 481. Munfook Roy.

No. 482. Chein Sing.

Under this seal is written,

“ Chein Sing, the Gomastah of the Choudry of

“ Haveley Azcemabad, bears testimony.”

No. 483. Narain Sing Keyry Wauleh.

No. 484.

No. 484. Doorga Sahoy Heereeh Loll.

Under this seal is written,

“ The hereditary Mohtefuddy of the Dewry of the
“ Sircar of Mahah Rajah Ram Narain Behadre.”

No. 485. Hunnomaun Sahoy Bukhtawur Sing.

Under this seal is written,

“ The Vackeel of Rajah Buffunt Ram Sahib.”

No. 486. Moujy Loll.

Under this seal is written,

“ A servant of the Rajah Buffunt Ram Sahib.”

No. 487. Sheo Perfaud.

Under this seal is written,

“ Sheo Perfaud, a Mohtefuddy of the Nawaub Mehdy
“ Ally Khan Behadre, the Naib of the Soobah
“ of Azeemabad.”

No. 488. Jungy Loll.

Under this seal is written,

“ Jungy Loll, the hereditary Moonshy of the Niza-
“ mut of the Soobah of Bahar.”

No. 489. Hurdial Sing.

No. 490. Muddun Gopaul Keidhoo Loll.

Under this seal is written,

“ An inhabitant of Patna, and the Naib of the
“ Vackeel of the Dutch Factory.”

No. 491. Huns Roy.

Under this seal is written,

“ An inhabitant of Patna, and the Vackeel of the
“ Dutch Factory.”

No. 492. Surdaur Sing.

Under this seal is written,

“ The seal of the Moonshy of the custom house at
“ Patna.”

No. 493. Hur Churn.

No. 494. Aufy Ram Loll.

Under this seal is written,

“ The Vackeel of Bauboo Surrupnarrain Sing.”

No. 495. Koosshall Ram.

No. 496. Chein Loll.

No. 497. Jou Loll.

Under this seal is written,

“ The seal of Jou Loll, the Motefuddy of Rajah
“ Bickra Majeit Sing, the Rajah of Shawabad.”

No. 498. Oomrou Sing.

Under this seal is written,

“ A writer of the custom house.

No. 499. Jey Gopaul Sing.

Under this seal is written,

“ The son of Lalla Bishun Sing.—Whatever is written
“ in the body of this paper, is free from all doubt.”

No. 500. Mendoo Loll.

Under this seal is written,

“ The nephew of Lalla Huns Roy, the Vackeel of the
“ Dutch factory, and an inhabitant of Patna.”

No. 501. Gunga Ram.

Under this seal is written,

“ In this there is no deception.”

No. 502. Birj Behary.

No. 503. Hirdew Roy.

No. 504. Buffawunt Loll,

“ The son of Moonshy Roonwaur Sing, deceased.

“ It is notoriously true.”

No. 505. Seinaput Buffunt Ram.

No. 506. Luchmy Narrain.

No. 507. Rada Kishun.

No. 508. Abdahoo Bucktawaur Sing.

No. 509. Itcha Sing.

No. 510. Oomrow Sing.

No. 511. Chuny Loll.

No. 512. Sheo Sahoy Goer Dial.

No. 513. Jugger Naut.

No. 514. Boot Kishun.

No. 515. Bufty Ram.

No. 516. Behadre Sing.

No. 517. Naunuck Goroo Shahoy Bifshun Sing.

No. 518. Derk Paul.

No. 519. Himmur Sing.

Under this seal is written,

“ In upright counsels and in perfect wisdom Mr. Haft-

“ ings was in truth a man of justice, and a protector

“ of the people.”

No. 520. Ram Diaul Sing, the uncle of Saddoo Ram.

No. 521. Nubkishore, the son of Peim Chund.

“ It is notoriously true.”

No. 522. Caufy Naut.

No. 523. Sheywuck Ram.

No. 524. Madhoo Surrin Roy.

Under this seal is written,

“ He was a just man.”

No. 525. Ram Perfaud Roy.

Under this seal is written,

“ Mr. Hastings was a gift of God in his mercy to

“ mankind.—I suffered no hardship.”

No. 526. Ram Chund Sahoy Gopaul Chund.

No. 527. Munnear Sing bears testimony : “ without doubt or question he was a just man.”

No. 528. Kishun Sahoy.

Under this seal is written,

“ It is notoriously true.”

No. 529. Gowry Sunker Sahoy.

No. 530. Juggernaut.

No. 531. Goor Govind Sahoy Goorperfaud Sing.

Under this seal is written,

“ It is notoriously true.”

No. 532. Jaggernaut.

No. 533. Joomuck Loll.

No. 534. Sey Loll Goor Sahoy.

No. 535. Jeywahir Mull.

“ It is notoriously true.”

No. 536. Ram Sing.

No. 537. Beneram.

Under this seal is written,

“ It is strictly true, Mr. Hastings was a just man,

“ and

“ and the people are greatly concerned at his departure.”

Bankers and Merchants.

- No. 538. Ram Chund Ager Waulah.
- No. 539. Caun Chund Ager Waulah.
- No. 540. Bughwaun Dofs, jeweller.
- No. 541. Jey Chund.
- No. 542. Gunfaum Dofs and Bifshun Dofs, chief of the druggists
- No. 543. Peya Dofs.
- No. 544. Hur Shewuck Ager Waullah.
- No. 545. Tehjoo Sah.
- No. 546. Dhomy Sah, jeweller.
- No. 547. Mooda, the Choudry of the Shroffs.
- No. 548. Bauboo Sah.
- No. 549. Mooty Loll.

Under this seal is written,

“ Mooty Loll, the hereditary treasurer of the Soobah
“ of Bahar.—Whatever is written in the Persian
“ character in this paper is true.”

- No. 550. Sukty Ram and Nuffy Chund.
- No. 551. Bowany Dofs.
- No. 552. Cofhall Chund Choudry.
- No. 553. Munnoo Sing, the Gomastah of the Chowdry of the cloth
merchants.
- No. 554. Bughut Ram, and Bowanny Dofs.
- No. 555. Bowanny Dofs, and Gunneis Dofs.

- No. 556. Bolonaut Ager Wauleh.
- No. 557. Golaub Roy and Caffinaut.
- No. 558. Gewaul Dofs and Chutter Bose Dofs.
- No. 559. Sumboonaut.
- No. 560. Kishun Dofs.
- No. 561. Kookum Chund, jeweller.
- No. 562. Jewun Chund, jeweller.
- No. 563. Mooty Sahoo, jeweller.
- No. 564. Hurry Sing Ager Walauh.
- No. 565. Neik Mull.
- No. 566. Heem Rauj and Maunick Chund.
- No. 567. Bolonaut and Sham Loll, and Munfooram.
- No. 568. Chummun Loll, and Kishun Dofs.
- No. 569. Kishun Ram, and Bowanny Perfaud.
- No. 570. Surubfoop, and Incharam.
- No. 571. Nunperfaud.
- No. 572. Tirbowun Dofs.
- No. 573. Buffunt Ram.
- No. 574. Praan Sook.
- No. 575. Bolonaut.
- No. 576. Ruttun Chund.
- No. 577. Jey Kishun Dofs.
- No. 578. Hutteh Chund.
- No. 579. Ram Kishun.
- No. 580. Noul Chund.
- No. 581. Hurry Maun.
- No. 582. Mahrah Choudry, by the pen of Bekauye Choudry.
- No. 583. Bolonaut.

No. 584.

- No. 584. Dēdun Choudry, by the pen of Kewul.
No. 585. Gocul Chund, cloth merchant.
No. 586. Jewun Dofs, cloth merchant.
No. 587. Meetoo Loll Ager Waleh.
No. 588. Loll Jee Paundy.
No. 589. Bishun Naut.
No. 590. Sah Mul.
No. 591. Jey Kishun Dofs.
No. 592. Ram Perfaud.
No. 593. Soom Chund.
No. 594. Bowanny Dofs.
No. 595. Putney Mull.
No. 596. Sohun Mull, cloth merchant.
No. 597. Dewarkaw Dofs.
No. 598. Burrull, cloth merchant.
No. 599. Suddaunund Miffer, cloth merchant.
No. 600. Mohtraw Dofs, cloth merchant.
No. 601. Ram Sahoy, cloth merchant.
No. 602. Bijenaut.
No. 603. Doomān Sing, cloth merchant.
No. 604. Cheh Coury Mull.
No. 605. Cholaufy Mull.
No. 606. Sheik Shoker ullah.
No. 607. Setaram.
No. 608. Nundram, cloth merchant.
No. 609. Fukkeer Chund.
No. 610. Chuny Loll.
No. 611. Loll Jee, cloth merchant.

Besides

Besides the preceding, there are a few seals which are neither numbered or translated, the impression being illegible.

(A true Translation.)

(Signed) G. F. CHERRY,

Deputy Persian Translator.

(True Copies.) E. HAY,

Secretary to the Government.

A A.

No. 15. *Copy Letter from the Collector of Baugulpoor, and Copy Translation of a Persian Paper transmitted therewith.*

To EDWARD HAY, Esquire, Secretary to the Government General at Fort William.

S I R,

YOUR letter of the 31st March, by the direction of the Right Honourable the Governor General in Council, authorized me to receive and transmit to you any addresses from the native inhabitants of this district, which they might be desirous of presenting, in testimony relative to Mr. Hastings.

I have herewith the honour to transmit you sundry papers on this subject, No. 1, 2, 3, and 4, which have been tendered to me by and on the part of the zemindars, canoongoes, and the other principal inhabitants of the districts of Baugulpoor and Rajemahl, and

of

of the hill people, inhabitants of the Jungleterry districts. The papers No. 1 and 2 appear to contain the signatures of all the landholders and canoongoes of my division; and I think it necessary to acquaint you that these, as well as others, were voluntarily tendered to me without the smallest interference on my part to obtain them.

I have the honour to be,

SIR,

Your most obedient humble Servant,

(Signed) ROBERT ADAIR, Collector.

(A true Copy.) E. HAY, Secretary to the Fort.

Papers received the 2d October, 1788, transmitted by the Collector of Baugulpoor, and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788, under the Seals and Signatures as under written.

It having come to the hearing of all us men, the canoongoes, zemindars, choudries, and talookdars of the district of Baugulpoor, in the province of Bahar, that the Gentlemen in England are displeased with the late Governor General Mr. Hastings, &c. as in address A. page 534.

The Seals and Signatures to this Address.

Kishnaram, canoongoe of purgunnah Illamabad, &c. in all 42 names.

4 O

Under

B B.

Under the Seals and Signatures as under written.

No. 16. WE humbly represent to the minister of the King of England, that we, inhabitants of Zillah Baugulpoor and Chuckla Akbarnagur, have heard that a few persons, totally ignorant of the particulars relative to this country, have made false calumnious reports regarding Mr. Hastings, thereby throwing the minds of the ministers of England into doubt, and injured Mr. Hastings, and aspersed his character. This has much astonished us, as all the inhabitants of this country lived in perfect ease and quiet, by the good conduct which he followed from the time of his arrival until his departure. Mr. Hastings transacted the affairs of the country in a proper manner, at all times seeking the prosperity and happiness of the inhabitants, and preserving the rights and characters of every one according to their respective rank, and avoiding every act which could occasion distress or discredit to us. On this account we were, and continue satisfied with Mr. Hastings. It is therefore incumbent on us to represent without mystery, according to our religion, a few of the particulars of his wise conduct, which we have seen and heard, as follows :—Mr. Hastings performed innumerable benefits on all the inhabitants of this country, disapproved of oppression towards any one, displayed kindness and distinguishing marks of credit to ancient families; and, on an interview with crowds of men of rank and respect, carefully avoided the omission of any instance of civility or honour. He was not, in the transaction of the affairs of revenue or
government,

government, covetous of the money or property of any one, but kept the farmers and overseers from committing oppression. During his administration, this country experienced no warfare or commotion; no injury happened to the property of any one; on the contrary, every one enjoyed peace and security, and courts of civil and criminal jurisdiction were firmly established, by which our lives and property were protected from thieves and plunderers, and we were guarded from the irruptions of the hill people, with which this country was frequently over-run and destroyed. He permitted the free force of our own laws of relation; he exerted every nerve in the cultivation of the country, and transacted the affairs of government and finance uprightly, and with justice; and not entertaining in his disposition the least share of haughtiness, he laboured at our ease and prosperity. By these means, the name and authority of the King and Company of England were so established during his government, throughout all Hindostan, that no one could venture to raise the head of rebellion. In short, Mr. Hastings possessed every good quality, and was well versed in the manners and customs of this country, and always exerted himself in the preservation of our religion and characters. On this account, we, inhabitants of these districts, were happy during his government, and are highly satisfied and pleased with him.

The Seals and Signatures to this Address.

Peraun Chund Sewarry, Gomastah of Benepersaud, &c. in all 43 names.

C C.

Under the Seals and Signatures as under written.

It having come to the hearing of all us men, zemindars, choudries, and talookdars, of the district of Akbarnagur, commonly called Raje mahl, in the kingdom of Bengal, that the Gentlemen in England are displeased with Mr. Hastings, &c. as in address A. page 534.

The Seals and Signatures to this Address.

Lucknaut Serma, and Neel Money Serma, zemindars of purgunnah Akburpoor, &c. in all 56 names of zemindars, talookdars, and chowdries.

 D D.
Under the Names as under written.

WE, inhabitants of the hills in Jungulterry, in the Chuckla of Rajemahl and Baugulpoor, have learnt that the inhabitants of the district of Baugulpoor have written in praise of Mr. Hastings. Therefore why should not we, who are praising Mr. Hastings, write also, and not remain silent? We therefore represent, that we formerly lived in the hills, like the beasts of the forests, and during the government of Mr. Hastings became like other men, and the qualities and honours of men were instilled into us. Formerly our means of

subsistence

subsistence were no other than those of plunder and rapine, and we existed with the greatest difficulty ; but now, by the wise conduct of that Gentleman, we live at ease, and, like others, are happy and satisfied with the Company. As this ease and civilization, which has produced respect to us among mankind, has been the effect of Mr. Hastings's conduct and management, and we have never experienced other than kindness, nor has any one of us heard of any oppression from him ; on this account we are pleased with Mr. Hastings.

The Names to this Address.

Baka * Manjy, chief of Kho Mulbungee.

Bukoo Manjy, second to ditto.

Merker Manjy, chief.

Sirly Manjy, second in Tuppa.

Mird Mangy, chief.

Khetcoo Mangy.

Sutchoo Manjy.

Lucknoow, second.

Soorjah Manjy, second.

Soorjah Manjy.

Chumra, chief.

Daagro, second.

Deo Cowur, chief.

Gunga Manjy.

Mudkeffa Manjy.

* Manjy is the title of a mountaineer chief.

Dullor Manjy.
Goora Manjy.
Bodla Manjy.
Dufnoo Manjy.
Bucka Manjy.
Buckoo Manjy.
Suckra Manjy, chief of Barroona.
Singha Manjy.
Narain Manjy.
Dulageirry, second in Keep Dongapanee.
Soorjah Manjy.
Gunda Deecoor.
Dadoo Cowar, chief.
Sonaday Caweer, chief.
Dub Coweer, second.
Pooja Manjy, second.
Ramma Manjy.
Chumroo Manjy.
Bauffor Manjy.
Chumroo Manjy, of Kho Dhoo Dommany.
Wooma Manjy.
Churra Manjy.
Befahdy Manjy.
Soorjah Manjy, chief of Kherd.
Soodra Manjy, of Kah Mudho Chuppy.
Soodra Manjy, chief.
Paleffoo, second of Kho Chuppernee.
Dooar, second.

Toora Manjy, of Kho Gurrypara.

Mucka Manjy.

Affa Manjy.

Mucka Manjy.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

Copy Letter from the acting Judge of Patna, transmitting a Persian Address from that City ; also Copy of two Letters from the Deputy Persian Translator.

* To EDWARD HAY, Esquire, Secretary to the Government at Fort William.

S I R,

I WAS favoured with your letter of the 31st of March last ; and a Sooruthal respecting Mr. Hastings having been sent to me by the principal inhabitants of this city, I now do myself the honour to transmit it to you.

I am, SIR, your most obedient humble Servant,

(Signed)

H. DOUGLAS, Acting Judge.

(A true Copy)

E. HAY, Secretary to the Government.

Patna Dewanny Adaulut,

September 3, 1788.

* This and the two following letters ought to have been prefixed to the Patna Address Z. in page 600.

To

To EDWARD HAY, *Esquire, Secretary to the Government.*

S I R,

IN my letter of yesterday's date, accompanying further advices relative to Mr. Hastings, in order to preserve the list of them regular, I inserted under the letter Z. an address from the inhabitants of Patna, with translation, which was not completed, the names to it not being made into English. The translation of them is now in hand; but from the number and confused order of the seals and signatures annexed to it, I shall not be able to prepare it to fill the place allotted it in the above-mentioned letter, to go by the packet of the William Pitt; I therefore request you will annex this letter to that of yesterday's date, in order to explain the cause that the Patna address does not accompany according to the list, and that it may be deferred until the next dispatch to England.

I am, SIR,

Your most obedient humble Servant,

(Signed) G. F. CHERRY,

Deputy Persian Translator.

(A true Copy) E. HAY,

Secretary to the Government.

Calcutta,

November 5, 1788.

To EDWARD HAY, *Esquire, Secretary to the Government.*

S I R,

HAVING, under date 5th November last, been under the necessity of withholding the address from the inhabitants of Patna, marked in my letter of the 4th November with the letter Z. for reasons already assigned,

assigned, I have now the pleasure to forward you the original address from Patna, with a translation thereof, under the same mark as in the list accompanying my letter of the 5th November.

I now forward you sundry other addresses received since my last, from the vackeels of the several zemindars, &c. with translations of the same, according to a list accompanying.

I am, SIR, your most obedient Servant,

(Signed) G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.) E. HAY,

Calcutta,

Secretary to the Government.

December 22, 1788.

No. 17. *Copy Letter from the Collector of Deenagepoor, dated October 13; with a Translation of a Persian Paper transmitted by him.*

EDWARD HAY, Esquire, Secretary to the Government.

S I R,

AT the request of the vackeel of the zemindars and talookdars in this district, I transmit you the accompanying Persian paper, containing testimonies relative to Mr. Hastings.

I am, SIR, your most obedient humble Servant,

(Signed) G. HATCH,

Coll. Deenagepore.

(A true Copy.) E. HAY,

Deenagepoor,

Secretary to the Government.

October 13, 1788.

E E.

Paper transmitted by the Collector of Deenagepoor. Received 19th October, 1788, and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.

IT having come to the hearing of all us men, the zemindars, chowdries, and talookdars of purgunnah Selberres, &c. districts appertaining to the zillah of Deenagepoor, that the Gentlemen in England are displeased with Mr. Hastings, &c. as in Address A. page 534.

The Signatures to this Address.

Golaum Sultaun Hoffeeeny, zemindar of eight annas division of purgunnah Selberris.

Seidzeal ul Dien, zemindar of eight annas division of purgunnah Selberris; and,

Seed Akbar Hoffeein Hofery Kishennarain, zemindar of purgunnah Barrickpore.

Gowry Perfaud Roy, zemindar of purgunnah Kabelpore.

Coffinaut, zemindar of two annas division of purgunnah Be-puckpore.

Gunga Luckinarian Serma, talookdar of eight annas division of Terriff Kurrye.

Gopaul Kisiowr Suma, talookdar of eight annas division of Terriff Gurry.

Seid

Sied Mahommed Hoeffein, grandson of Seid Aboo Toraab, of Terriff Bahar.

Hurram Serma, talookdar of twelve annas division of Terriff Ihakur ; and

Seam Kifurer Serma, nephew of the above, talookdar of five annas division.

Rooderram Serma, talookdar of four annas division of Ihakur.

Affud Zemaun Hoffung, talookdar of Terriff Bawgunge.

Sied Kummer ul Dien, grandson of Sied Nujub, talookdar of Terriff.

Colly Perfaud Serma, Talookdar of Kismut Selberris, and Colly Chunder Serma.

Radachurn Dofs, and Gopichurn Dofs, Sied Akel, and Sied Imaum Buksh, talookdar of Terriff Kishenpoor.

Rada Kishen Serma, talookdar of Terriff Bogola, and Colly Caunt Serma.

Ragoo Ramisser Chowdry, talookdar of Terriff Broho Burrutpoor.

Hurkishwur Dofs, Cauffinaut Dofs, and Pretain Dofs Dullol.

Govind Ghose, talookdar of Terriff Pertaubpoore.

Rooder Caunt Roy, zemindar of purgunnah Chounge.

Ojodea Ram Serma, brother of Ramsunker Serma, Chowdry of Kismut purgunnah Chorane.

Sree Ram, Chowdry of purgunnah Dattia, and Gerry Sufidhur Chowdry.

Colly Perfaud Roy, Chowdry of Duttia, Jahangeerpoo, and Luckiram Chowdry.

Bridge Dollol Ghose, of Kismut purgunnah Barrackpoor.

Mahommed Hoeffein Chowdry, and Naundhur Cawn Chowdry, of Kismut purgunnah Barrickpore.

Shed Churn Chowdry, of Kismut purgunnah Barrickpore.

Nund Kishwur Chowdry, and Ram Caunt Chowdry, of Kismut purgunnah Barrickpore.

Jynarain Serma, and Kishen Serma, of Kismut purgunnah Barrickpore.

Chundernarain Sing, and Colla Clawd Sing of Hurlpertaub, of Kismut purgunnah Barrickpore.

(A true Translation.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.

E. HAY,

Secretary to the Government.

No. 18. *Translations of the Persian Addresses from the Rajah of Burdwan, and Zemindars of the twenty-four Purgunnabs, and from the Pundits of the twenty-four Purgunnabs, presented by their Vackeels.*

Paper delivered by the Vackeel on the part of the Rajah of Burdwan, and the Zemindars of the twenty-four Purgunnabs, and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.

Petition, under the Signature of Rajah Mullic, Vackeel, on the Part of the Rajah of Burdwan, Radachurn Roy, &c. Zemindars of the twenty-four Purgunnabs.

THE Maha Rajah Deorage Teege Chund Behadre, zemindar of purgunnah Burdwan, &c. has transmitted an address relative to
Mr.

Mr. Hastings, under his own seal, and the signatures in Bengalese of one hundred and fifty-seven zemindars, in the twenty-four purgunnahs, with a copy thereof, authenticated by the Cauzy; and another address from the Pundits of the twenty-four purgunnahs, written in the Shanscrit language, with a Persian translation of it, in order that they may be sent to Europe; and hopes that your Lordship will be pleased to order them to be translated, and transmit the original and translation to England.

(A true Translation:)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Fort.

F F.

Under the Seal of Maha Rajah Deorage Tégechund Behadre, Zemindar of Purgunnah Burdwan, &c. and the Signatures of the Choudries and Talookdars of the twenty-four Purgunnahs, as underwritten.

IT having come to the hearing of all us men, both high and low, of every sect and persuasion, as well Hindoos as Mahommedans, the zemindars of purgunnah Burdwan, &c. and the choudries and talookdars of the twenty-four purgunnahs, the inhabitants and natives of the territories belonging to the Dewanny of the English Company,

that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seal of Maha Rajah Deerage Tégeebund Behadre, Zemindar of Burdwan.

The Signatures of the Choudries, &c. of twenty-four Purgunnabs.

Suntofe Serma, &c. 156 names.

G G.

Address from the Pundits of the twenty-four Purgunnabs,

Under the Signatures as underwritten.

MR. HASTINGS's disposition was adorned with the jewel of patience, firmness, clemency, and courage, great complacency and politeness. He enlightened the world by the brightness of his conduct, the praises of which are sung by all learned men. The ministers of England, on the suspicion that Mr. Hastings took money by force and deceit from the natives of this country, and ruined the country, are displeased with him:—we inhabitants of the country under the Company's dominions, having heard this, in order to remove this reflection on him, who administered justice, and to wipe away the cloud from the minds of the people of England, represent
the

the good conduct he followed :—That in regard to the inhabitants of this country, of high, middling, and low, all the three degrees, he maintained them in the enlightening roads of religion, and cherished them with parental kindness, without self-interest. He raised the credit of tutors and students in every learning, by treating with respect every branch according to its instructions and science; and from having been long resident in this country, he was well acquainted with the nature of the government of it. During his administration in this kingdom, the whole world felt no uneasiness or adversity, preserved the beaten track of their concerns, and lived in peace.—This was the case with every one.

The Signatures to this Address.

Bydonaut Serma, of Munjulpore, &c. 25 signatures.

No. 19. *Translations of Persian Addresses from the Rajah of Jeffore, Mahommed Shaby, &c. from the Zemindars, &c. of that Division, and presented by their Vackeel.*

Papers delivered by the Vackeels on the Part of the Zemindar of Purgunnah Jeffore, Mahommed Shaby, &c. and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.

Petition from the Vackeels of the Zemindars of Jeffore and Mahommed Shaby.

AN address relative to Mr. Hastings, under the signature of Serri-kaunt Roy, zemindar of purgunnah Jeffore, &c. and one under the
seals

seals and signatures of the choudries of Mahommed Shahy, and the talookdars of Zillah Jeffore, with copies thereof, having been transmitted to the presence, we hope that they may be translated by order of government, and the translation and original forwarded to Europe.

(A true Translation.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Fort.

H H.

*Under the Signature of the Serrikaunt Roy, Zemindar of Purgunnah
Roosufpoor, &c.*

IT having come to my hearing that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

I I.

*Under the Seals and Signatures of the Zemindars, Chowdries, and
Talookdars of the Mahals of Mahommed Shahy and Zillah Jeffore.*

IT having come to the hearing of all us men, zemindars, chowdries, and talookdars of the Mahals of Mahommed Shahy,
and

and Zillah Jeffere, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Rajah Mohinder Sunker, zemindar of twelve an. fifteen g. division of purgunnah Mahommed Shahy, &c. and other names of zemindars, talookdars, and chowdries, in all 71.

No. 20. *Translation of Persian Addresses from the Rajah of Tumlook; from the Ranny of Mysodull; from the Ranny of Hidgelee; from the Rajah of Hidgelee; and from the Rajah of Sujamootab; presented by their Vackeels.*

K K.

Paper delivered by the Vackeel on the Part of Rajah Anundenarain, Zemindar of Purgunnah Tumlook seven Anna Share, and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.

Under the Seal of Rajah Anundenarain, Zemindar of Purgunnah Tumlook (seven Anna Share.)

IT having come to my hearing that the Gentlemen of England are displeased with the late Governor General Warren Hastings, as in Address A. page 534.

L L.

No. 21. *Paper delivered by the Vackeel on the Part of the Ranny Jannekee, Zemindar of Purgunnah Mysodull, &c. and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.*

Under the Seal of Ranny Jannecky, Zemindar of Purgunnah Mysodull.

It having come to my hearing that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

M M.

No. 22. *Paper delivered by the Vackeel on the Part of the Ranny Sougundab, Zemindar of Dooroodumnam and Manchamootab, &c. in Chucla Hidglee, and translated pursuant to an Order from the Governor General in Council, dated 27th April, 1788.*

Under the Seal of Ranny Sougundab, Zemindar of Dooroodumnam and Manchamootab, &c. in Chucla Hidglee.

IT having come to my hearing that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

No. 23.

N N.

No. 23. *Paper delivered by the Vackeel on the Part of Rajah Beernarain of Pergunnab Jellamootah, &c. in Chuccla Hidgelee, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.*

Under the Seal of Rajah Beernarain, Zemindar of Pergunnab Jellamootah, &c. in Chuccla Hidgelee.

IT having come to my hearing, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

O O.

No. 24. *Paper delivered by the Vackeel on the Part of Rajah Debindurnarain, Zemindar of Purgunnab Soojamootah, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.*

Under the Seal of Rajah Debindurnarain, Zemindar of Purgunnab Soojamootah.

IT having come to my hearing, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

No. 25. *Translation of a Persian Address from the Rajah of Tannah Bahar, in Cooch Bahar, presented by his Vackeel.*

Paper delivered by the Vackeel on the Part of the Rajah Hurrindernarain, Rajah of Tannah Bahar, &c. in Cooch Bahar, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

P P.

Under the Seals and Signatures as written.

IT having come to the hearing of all us men, of me, Rajah Hurrindernarain, Rajah of Tannah Bahar, in Cooch Bahar, and other servants and dependants on the said Rajah, whose Seals are hereunto annexed, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Maha Rajah Hurrinderain.

Maha Ranny, the mother of Maha Rajah Hurrinderain.

Serbanund Goffein, superintendant of the Raje Moaindnarain Koar.

Nazir Deo Jebundernarain Koar.

Coffinaut Khaushnuvees, the Rajah's Dewan.

Suftidhur Dofs, Vackeel at Calcutta.

Kishen Caunt Buckshy.

Bishen-

Bishenpersaud Ameen.

Jankeram Sirma, Vackeel at Calcutta.

(A true Translation.)

(Signed) G. F. CHERRY,
Deputy Persian Translator.

(A true Copy.) E. HAY,
Secretary to the Government.

No. 26. *Translation of a Persian Address from the Ranny of Rajeshbaby, and her Son Rajah Ramkissen—presented by her Vackeel.*

Paper delivered by the Vackeel on the Part of Maha Ranny Bowanny, and Rajah Ramkissen, her adopted Son, Zemindar of Pergunnah Rajeshbaby, &c. and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Q Q.

Under the Seals of Maha Ranny Bowanny, and her adopted Son, Rajah Ramkissen, and others, as underwritten.

IT having come to the hearing of us, Maha Ranny Bowanny, Zemindar of pergunnah Rajeshbaby, &c. Rajah Ramkissen, her adopted Son, and the Zemindary Omlah, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The

The Seals and Signatures to this Address,

Maha Ranny Bowanny.

Rajah Ramkissen, adopted son to the above.

Ramkissen, Nien Chunder Serma, Naib of pergunnah Rajeshahy, &c.

Permanund Dofs, Vackeel of pergunnah Rajeshahy, &c.

Ram Caunt, Seristadar.

No. 27. *Translation of a Persian Address from the Canoongoes, Zemindars, &c. of Midnapore, presented by their Vackeel.*

R R.

Paper delivered by the Vackeel, on the Part of the Canoongoes, Zemindars, Chowdries, and Talookdars of Chucula Midnapore, translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Under the Seals and Signatures as underwritten.

IT having come to the hearing of all us men, the Canoongoes, Zemindars, Chowdries, and Talookdars of Chuckla Midnapoor, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The

The Seals and Signatures to this Address.

Ranny Sree Sree Mooty, Zemindar of pergunnah Midnapore, &c.
 Rajah Sunder Narain, Zemindar of pergunnah Coffijura and
 Shawpore.

Rajah Bridge Annund.

Rajah Kishen Bullub.

Annund Loll Khan, Zemindar of Tuppea Nanajoal.

Colly Perfaud Chowdry, Groo Churn Roy Seam, Churn Bhowan,
 and Collooram Bhowan, &c. Talookdars of pergunnah Summeek,
 Beerperfaud Chowdry, Zemindar of pergunnah Kedder, &c.

Manicram Chowdry, &c. Talookdars of Maleapoor.

Ragonaut Chowdry, and Pertaubnarain, Chowdry of Pergunnah
 After Barthan.

Futtechund Chowdry and Manchund, Zemindars and Talookdars
 of Duttgotta.

Grooperfaud Maha Patter, Zemindar of pergunnah Gridnapore.

Ramnarain Boyean, Zemindar of pergunnah Gridnapore.

Nundaram Dutt, Zemindar of pergunnah Gridnapore.

Hurrooram Roy, Zemindar of pergunnah Sutterpore, written by
 his Naib Lucky Caunt Bose.

No. 28. *Translation of an Address from the Canoongoes, &c. &c. &c. of Silhett, presented by the Collector.*

S S.

Translation of a Persian Address delivered by the Canoongoes, Zemindars, Chowdries, and Talookdars of Silhett, to Mr. Willis, Collector of the Revenues of that District.

WE the servants of the Imperial Court, the Canoongoes, Zemindars, Chowdries, and Talookdars of the district of Silhett, a dependency of the Soobah of Bengal, the Paradise of nations, have heard that the Gentlemen of England are displeased with Mr. Hastings, upon a suspicion, that exercising tyranny and oppression over us, he took our money by fraud and artifice, as well as by force, and that by mismanagement he laid waste the country. We hearing this, are much astonished ! For the skill and knowledge of Mr. Hastings in the conduct of business, and in managing the affairs both of revenue and government, are notorious throughout all Bengal and Hindostan. We for our parts can say, that he never took from us, humble men, a single daum or dherrum by force or oppression, or by fraud or artifice ; nor was his disposition in any degree inclined to avarice and covetousness : on the contrary, he sowed the seeds of kindness in the fields of the hearts of all the husbandmen and subjects, and from the showers which fell from the clouds of his benevolence and generosity, he made the hearts of the poor to flourish like a garden. By law and the dispensation of justice he improved the country. From the sword of the wicked, who delight in sedition, he protected us,

defenceless people, with the shield of his beneficence ; and during the time of his administration and government we passed our time in ease and pleasure. As he was from a very early period acquainted with the usages and customs of this country, so he laboured to preserve inviolate the honour, the faith, and the religion of us all. For these reasons, we, according to our religion and belief, and in pursuance of that holy precept, “ *Withhold not your testimony,*” have truly and justly made this public declaration.

Mubhoo Oodrukt, canoongoe of the district of Silhett.

Shaum Roy, canoongoe of the district of Silhett.

Muntuny Naut Roy, canoongoe of the district of Silhett.

Jewun Kishurn Roy, canoongoe of the district of Silhett.

Rama Kunt Roy, canoongoe of the district of Silhett.

Rada Kissen Roy, canoongoe of the district of Silhett.

Then follows, in the original, these words, viz.

The Choudries of the purgunnahs in this district from the earliest times, have in subscribing papers written their names in the Bengal language, thus, “ *Choudry Burg* (i. e. the Choudries, with all the “ officers and ryats). This practice is approved, respected, and “ observed, and is handed down from the ancestors of the said “ Choudries.” After which are added the following signatures :

The zemindars canoongoes of the purgunnah of Nungleh.

Zemindar Pukcarjift, with the officers and ryats of the purgunnah of Puttareah.

Choudrys Puckarjift, of the purgunnah of Lukkaye.

Zemindar Puckarjift, of the purgunnah of Puttrah.

Zemindar, with the officers and ryats of the purgunnah of Kikthaur.

Zemindar Puckarjift, of the purgunnah of Sishty Nugger.

Zemindar, with the officers and ryats of the purgunnah of Etaur.

Zemindar, with the officers and ryats of the purgunnah of Reingas.

Zemindars and canoongoes, with the officers and ryats of the purgunnah of Kaully Hutty.

Zemindar, with the officers and ryats of the purgunnah Indpoor.

Zemindar, with the officers and ryats of the purgunnah of Bauzoo Shifta.

Zemindar, with the officers and ryats of the purgunnah of Hutteil Sirjed Bazeed.

Zemindar, with the officers and ryats of the purgunnah of Choukar.

Zemindar, with the officers and ryats of the purgunnah of Gujakan.

Zemindar, with the officers and ryats of the purgunnah of Jelalpoor.

Zemindar, with the officers and ryatts of the purgunnah of Bahoo Sonnytaur.

Zemindar, with the officers and ryats of the purgunnah of Baôor Nugger.

Zemindar, with the officers and ryats of the purgunnah of Bow-auljore.

Zemindar, with the officers and ryats of the purgunnah of Paulnah.

Choudry, with the officers and ryats of the purgunnah of Surra Abad.

Choudries, with the officers and ryats of the purgunnah of Coffein Nugger.

Zemindar, with the officers and ryats of the purgunnah of Boodocum.

Choudry Purkarjift, of the purgunnah of Reyhtee.

Zemindar Purkarjift, with the officers and ryats of the purgunnah of Inda Nugger.

Zemindar, with the officers and ryats of the purgunnah of Oojautoor.

Zemindar, with the officers and ryats of the purgunnah of Bur-runchaul.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Ally Azum.

Zemindar of the purgunnah of Shawabad.

Zemindar, with the officers and ryats of the purgunnah of Badeh Du Royhen.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Coorfaw.

Zemindar, with the officers and ryats of the purgunnah of Doolaun.

Zemindar, with the officers and ryats of the purgunnah of Gooreal.

Zemindar, with the officers and ryats of the purgunnah of Shumsher Nugger.

Choudry Purkarjift, of the purgunnah of Chocotully.

Choudries, canoongoes of the purgunnah of Boojaureh.

Zemindar, with the officers and ryats of the purgunnah of Alley Nugger.

Zemindar, with the officers and ryats of the purgunnah of Mullcspoor.

Zemindar, with the officers and ryats of the purgunnah of Chump Ghaut.

Zemindar, with the officers and ryats of the purgunnah of Mookh-tampoor.

Zemindar, with the officers and ryats of the purgunnah of Dacca-dehkin.

Zemindar, with the officers and ryats of the purgunnah of Hurry
Nugger.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Bhutrah.

Zemindar, with the officers and ryats of the purgunnah of Mauty
Saron Baug.

Zemindar, with the officers and ryats of the purgunnah of Bahoobul
Baug.

Zemindar, with the officers and ryats of the purgunnah of Haveylie
Meheishpoor.

Zemindar, with the officers and ryats of the purgunnah of Gunga
Nugger.

Zemindar, with the officers and ryats of the purgunnah of Autgong.

Zemindar, with the officers and ryats of the purgunnah of Eenta
Marapoor.

Choudry Purkarjift, of the purgunnah of Hofeinabad.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Behrub.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Aktaungurry.

Zemindar, with the officers and ryats of the purgunnah of Mud-
dackondy.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Mehmoodabad.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Pachateen.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Eachamutty.

Choudry

Choudry Purkarjift, with the officers and ryats of the purgunnah of Yacoobnugger.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Haveylee Pullyfaly.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Eatapaully Saly.

Zemindar, with the officers and ryats of the purgunnah of Kur-runfhee.

Zemindar, with the officers and ryats of the purgunnah of Korecoah.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Buguwoat.

Zemindar, with the officers and ryats of the purgunnah of Secunderpoor.

Choudry Purkarjift, with the officers and ryats of the purgunnah of Suttra Kundle.

Zemindar, with the officers and ryats of the purgunnah of Akbarpoor.

Zemindar, with the officers and ryats of the purgunnah of Chouaulies.

Zemindar, with the officers and ryats of the purgunnah of Ourungabad Ballafur.

Chein Churd, the zemindar of the purgunnah of Chur Nugger.

Alabd Mahommed Nujaut.

Alahbd Mahommed * Reazel and * Fyazal.

Abdahoo † Mahommed, Nazim † Unfir.

Abdahoo Omud U'Reza.

Moraury Chund Takoor, zemindar of the purgunnah Baragur, and the purgunnah of Rooaury.

Choudry, with the officers and ryats of the purgunnah of Badook.

* N. B. These are two joint zemindars, by their common seal.

† These also are two joint zemindars, by their common seal.

Choudry, with the officers and ryats of the purgunnah of Rutton
Meygee.

Choudry, and the canoongoe of the purgunnah of Bejurah.

Zemindar, with the officers and ryats of the purgunnah of Ruffeah
Nugger.

Alabd, the zemindar, with the officers and ryats of the purgunnah
of Dinarpoor.

Zemindar, with the officers and ryats of the purgunnah of Shaijiste
Nugger.

Choudry Purkarjift, the zemindar of the purgunnah of Rutton Shahy.

Zemindar, with the officers and ryats of the purgunnah of Agarah
Saut.

Choudry Purkarjift, with the officers and ryats of the purgunnah of
Zien Shokaur.

Choudry, with the officers and ryats of the purgunnah of Bittungul.

Zemindar, with the officers and ryats of the purgunnah of Poodoot-
kund Kaneh.

Zemindar, with the officers and ryats of the purgunnah of Churgur.

Zemindar, with the officers and ryats of the purgunnah of Ootur
Gutch.

Zemindar, with the officers and ryats of the purgunnah of Roory
Nugger.

Zemindar, with the officers and ryats of the purgunnah of Shiddy
Aurungur.

Zemindar, with the officers and ryats of the purgunnah of Ghyaufs
Nugger.

Zemindar, with the officers and ryats of the purgunnah of Ranyooter.

Zemindar, with the officers and ryats of the purgunnah of Doorun.

Zemindar,

Zemindar, with the officers and and ryats of the purgunnah of Bullyry
Koonwur.

Zemindar, with the officers and ryats of the purgunnah of Punurburr.
Choudry Purkarjift, with the officers and ryats of the purgunnah of
Eleyncy.

Zemindar, with the officers and ryats of the purgunnah of Chut-
towtehroo.

Choudry Purkarjift, of the purgunnah of Junterry.

Zemindar Purkarjift, with the officers and ryats of the Purgunnah
of Chahaooter.

(A true Translate.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

No. 29. *Copy Letter from the Acting Collector of Moorshedabad ;
with a Translation of a Persian Address from the Zemindars of
Rocunpore, &c. &c. transmitted by him.*

To EDWARD HAY, Esquire, Secretary to the Government.

S I R,

THE zemindars and talookdars under this collectorship have delivered to me a Persian address relative to Mr. Hastings, and an attested copy of it ; with a request that I would forward them to the Governor General in council, in order that they might be transmitted

mitted to the Court of Directors.—In compliance with their requisition, I have the honour to send you the above-mentioned Persian papers, together with a copy of the application from the zemindars and talookdars to me.

I have the honour to be,

SIR,

Your most obedient humble Servant,

(Signed.) JOHN FENDALL,

Acting Collector.

(A true Copy) E. HAY,

Zillah Moorshedabad,

Secretary to the Fort.

November 5, 1788.

Petition of the Zemindars of Rockunpoor, Lushkerpoor, Jebangueerpoor, &c. under the Collectorship of Moorshedabad.

WE, your petitioners, the zemindars, talookdars, and Chowdries of the lands under the collectorship of Moorshedabad, have written, signed, and sealed a paper in praise of Mr. Hastings, for the dispatch of which to the presidency we request that you will send the original, with our seals and signatures, together with a copy thereof, attested by the seal of the cauzy, to the Right Honourable the Governor General in council at Calcutta, and petition in our name that the Right Honourable the Governor General in council will be kind enough to order a translation to be made of that paper, and that the original with the translate may be forwarded to the

Honourable

Honourable the Court of Directors in England.—It is just, and we have petitioned it.

(A true Translate.)

(Signed) JOHN FIR, Assistant.

(A true Copy.) E. HAY, Secretary to the Fort.

Papers delivered by the Vackeel of the Zemindars of Purgunnab Rokunpoor, Luskerpoor, Jebangueerpoor, &c. all the Mahals of Zillah Moorshedabad, and translated pursuant to an Order from the Governor General in Council, dated April 27, 1788.

Petition from the Zemindars of Purgunnab Rokunpoor, Luskerpoor, Jebangueerpoor, &c. all the Mahals of Zillah Moorshedabad, addressed to the Collector.

WE, the zemindars, talookdars, and choudries of Zillah Moorshedabad, have written an address on the virtues of Mr. Hastings, to which we have affixed our seals, and signed our names. We now petition that you will be pleased to forward it: one paper is the original, with our seals and signatures affixed; the other a copy under the seal of the cauzy, which you will be pleased to transmit to the Governor General in Council of Calcutta, and request his lordship will order it to be translated, and send the translation with the original to the Court of Directors.

(A true Translate.)

(Signed) G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY, Secretary to the Fort.

T T.

Under the Seals and Signatures as under written.

IT having come to the hearing of all us men, the zemindars, choudries, and talookdars, of the Mahals of Zillah Moorshedabad, in Soobah of Bengal, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Gopinaut Dofs, son of Radamohun Choudry, of purgunnah Dharmy, &c. names of zemindars, choudries, and talookdars, in all 90.

U U.

No. 30. *Translation of a Persian Address from the Canoongoes of Jellahore, presented by their Vackeel.*

Paper delivered by the Vackeel from the Canoongoes, Zemindars, Choudries, and Talookdars, of Chucklah Jellahore.

Under the Seals and Signatures as underwritten.

IT having come to the hearing of all us men, the canoongoes, zemindars, choudries, and talookdars of Chucklah Jellahore, that
the

the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Choudries, canoongoes, and talookdars, of purgunnah Futtchabad.
Choudries, canoongoes, and talookdars, of purgunnah Chuck
Ismailpoor.

Choudries, canoongoes, and talookdars, of purgunnah Raje Ghurr.

Choudries, canoongoes, and talookdars, of purgunnah Dauntonchour.

Choudries, canoongoes, and talookdars, of purgunnah of Nowtocher.

Choudries, canoongoes, and talookdars, of purgunnah Countnagurr.

Choudries, canoongoes, and talookdars, of purgunnah Sheopore.

Nurhurkur Mahahattar, choudry, and canoongoes and talookdars,
of purgunnah Ikractur.

Nurhurkur Maha Potter, and choudries, and canoongoes, and
talookdars, of Koarulcher.

Choudries, canoongoes, and talookdars, of purgunnah Bunfidhur

Choudry, and canoongoes and talookdars of purgunnah Boori-
jechur.

Choudries, canoongoes, and talookdars, of purgunnah Havelly
Jellafore.

Choudries, canoongoes, and talookdars, of purgunnah Sawyer
Jeerthan.

Choudries, canoongoes, and talookdars, of purgunnah Tannah
Jelafore.

Choudries, canoongoes, and talookdars, of purgunnah Bholarachur.

Choudries, canoongoes, and talookdars, of purgunnah Tupper
Coffiary.

Choudries, canoongoes, and talookdars, of purgunnah Mutculabad.

Choudries, canoongoes, and talookdars, of purgunnah Gugniffer.

Choudries, canoongoes, and talookdars, of purgunnah Naringa
Chur.

Bydorroth, choudry of purgunnah Cockrachur.

Pahaur Sing Bhooyean, of purgunnah Paunfahy.

Gourychurn, zemindar of purgunnah Beercool.

Jodanund, choudry of purgunnah Murgodah.

V V.

No. 31. *Translation of a Persian Address from the Zemindars of
Dacca Jellalpoore, presented by their Vackeel.*

*Paper delivered by the Vackeel on the Part of the Zemindars, Choudries,
and Talookdars, of the Mahals of Purgunnah Jellalpoore, &c. in
the District of Dacca.*

Under the Seals and Signatures as underwritten.

IT having come to the hearing of all us men, the zemindars,
choudries, and talookdars, of the Mahals of purgunnah Jellal-
poore,

pore, &c. that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Rajah Ramkishen Roy Behadre, zemindar of purgunnah Noonellapore, &c. and other names of zemindars, talookdars, and choudries, in all 89.

W W.

No. 32. *Translation of a Persian Address from the Zemindars, &c. of Dacca Momun Sing, presented by their Vackeel.*

Paper delivered by the Vackeel on the Part of the Zemindars, Choudries, and Talookdars of the Mahals of Zillah Momenfing, &c. in the District of Dacca.

Under the Seal and Signatures as underwritten.

IT having come to the hearing of all us men, the zemindars, choudries, and talookdars of the Mahals of Zillah Momenfing, &c. in the district of Dacca, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The

The Seals, and Signatures to the Addrefs.

Affaleet Menaam, and Multafeet, choudries of Budnycaemdy, and other names of zemindars, talookdars, and choudries, in all 112.

No. 33. *Translation of a Perfian Addrefs from the Zemindar of Beerbhoom, prefented by his Vackeel.*

Papcrs delivered by Golaum Hyder Khan, Vackeel to the Zemindar of Purgunnab Beerbhoom, &c.

Petition under the Signature of Golaum Hyder Khan, Vackeel to the Zemindar of Purgunnab Beerbhoom.

MY constituent has prepared and written under his own feal, and that of his principal fervants and officers, an addrefs relative to Mr. Haftings, which he has tranfmitted with a copy to your Lordship, in the hope that your Lordship will be pleafed to direct that it may be tranflated into Englifh, and the original and tranflation be forwarded to Europe.

(A true Tranflation.)

(Signed) G. F. CHERRY,
Deputy Perfian Tranflator.

(True Copies.) E. HAY,
Secretary to the Government.

Under

X X.

Under the Seals and Signatures as under written.

IT having come to the hearing of us, Mahommed Zemaun Khan, son of Mahommed Budder al Zemaun Khan, deceased, zemindar of purgunnah Bheerbhoom, &c. in the Soobah of Bengal, that the Gentlemen in England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The Seals and Signatures to this Address.

Mahommed Zemaun Khan, &c. in all 14 names.

No. 34. *Translation of a Persian Address from Khan Jehan Khan, and the rest of the Inhabitants of Hoogly, presented by his Vackeel.*

Papers delivered by Mahommed Mehy ul Dien Khan, Vackeel to Khan Jehan Khan Behadre Jessarut Jung.

Petition under the Signature of Mahommed Mehy ul Dien Khan, Vackeel to Khan Jehan Khan Behadre Jessarut Jung.

THE residents and natives of the Bunder (factory) of Hoogly have written and affixed their seals to an address relative to Mr. Hastings, and

and have transmitted the original and copy to your Lordship. I humbly request your Lordship will be pleased to order the address to be translated by the public officer of government, and that the translation and original may be sent to Europe.

(A true Translation.)

(Signed)

G. F. CHERRY,

Deputy Persian Translation.

(A true Copy.)

E. HAY,

Secretary to the Government.

. Y Y.

Under the Seals as under written.

WE, the inhabitants and natives of the Bunder (factory) of Hoogly and its environs, in the Soobah of Bengal, humbly represent to his most Gracious Majesty, the King of England, and to the upright assembly, the Comptrollers and Directors of the Company, that Mr. Hastings, from his nomination to the government of this country until the time of his return to Europe, secured our satisfaction and happiness by his pleasing deportment and commendable virtues; he preserved the affairs of this country of every denomination in the channel of established usage and custom, so that mankind, whether merchants, officers, travellers, strangers, or tradesmen, with the most perfect ease of mind and security employed themselves in seeking their subsistence, in happiness and inward gratitude praying

I

for

for the extent of his Majesty's reign, and the Company's authority. That Gentleman was so attentive to the protection and safety of the country, that no disturber or rioter on any side could extend the hand of oppression and tyranny.—He established courts of justice according to the respective religions and sects; and, notwithstanding the want of rain, the dreadful effects of famine were warded off by the wisdom and prudence of his measures and arrangements. He settled the courts of criminal and civil jurisdiction (Fougedary and Dewanny) on a new footing, by which mankind were guarded against thieves and murderers. He founded a college for the propagation of learning, and fixed an income and degrees for the students, so that to this moment the learned and students enjoy the benefits and advantages thereof, and pray for the prosperity of his Majesty's reign, and the Company; and we Moguls and others, whether men in service or merchants, always lived protected from the frauds of the times under the shadow of his care and kindness. He never coveted our character, property, or wealth, nor did he ever act by force or oppression. In short, we, during the government of Mr. Hastings, enjoyed peace and quiet, and in no respect experienced distress or hardship, and are pleased with his qualities and virtues.

Written 11 Shabaan 1202 Hejeree, 17th May, 1788.

The Seals to this Address.

Khan Jehan Khan Behadre Jassaourut Jung.

Meer Solemaun Khan Behadre, &c. in all 35 names.

No. 35. *Translation of a Persian Address from the Zemindar
Pachete, presented by his Vackcel.*

*Papers delivered by the Vackcel of Maha Rajah Ragonaut Narain,
Zemindar of Pachete.*

Petition under the Seal and Name of Rajah Ragonaut Narain.

I HAVE prepared an address under my seal relative to Mr. Hastings, and transmit it to your Lordship, who, I hope, will be pleased to order it to be publickly translated, and the original and translation to be forwarded to Europe.

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy)

E. HAY,

Secretary to the Government.

Z. Z.

Under the Seals and Signatures as under written.

IT having come to the hearing of me, Ragonaut Narain, zemindar of Pachete, in the Soobah of Bengal, that the Gentlemen of England are displeased with the late Governor General Warren Hastings, &c. as in Address A. page 534.

The

The Seals and Signatures to the preceding Address.

Maha Rajah Ragonaut Narain.

Kishen Caunt Serma.

Colly Churn Serma.

Khofaul Chund Serma.

Narain Serma.

No. 36. *Translation of a Persian Address from some of the Inhabitants of Calcutta, which was delivered to the Secretary by Meer Zabid and others.*

Translation of Petition delivered to Edward Hay, Esq. Secretary to the Government, by Meer Zabid, Mowlavy Abdoolah, Moazim Ally and others, and Seyed Rooh Ullah, the Vackeel of Meer Bendeb Ally Khan Behadre.

WE, the inhabitants of the town of Calcutta, having prepared an address relative to Mr. Hastings, under our seals and signatures, do present the same, together with a copy thereof, to the Council, who, having in their kindness caused this address to be translated by the officers of the Company, will be pleased to send both the original and the translation to England.—We have thus requested what was proper.

(A true Translation.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY,

Secretary to the Government.

A A A.

Translation of the Address delivered to Edward Hay, Esq. Secretary to the Government, by Meer Zabid, and other Inhabitants of Calcutta.

WE, the great and principal people, merchants, and others, men of different sects and persuasions, inhabitants of the city of Calcutta, part of the territories of the English Company (whom may God long preserve in prosperity !) having heard that the exalted rulers of England, and they who preside over the courts of justice, have received displeasure in their humane hearts against Mr. Hastings, upon suspicion that he took the money and effects of us the inhabitants of this country by fraud and treachery, and entirely ruined the government of the Company ;—therefore we, the people aforesaid, with a perfect unanimity, both in expression and meaning, according to the precepts of our several religions and customs, the observance of which we always make the object of our hearts, do, for the purpose of dispelling the doubts of the exalted Gentlemen aforesaid, bring from behind the curtain of concealment, and place upon the public seat of notoriety, such a representation of the character, and such a relation of the words and actions of Mr. Hastings, whose disposition is worthy of all praise, as is true and certain, and fully proved and clearly demonstrated, and free from ornament and exaggeration. From the time that he was appointed to, and became invested with, the Government of Calcutta, till the end of his administration, he was always occupied in the welfare of the ryotts, and the improve-

ment

ment of the country, in the support of the weak, in healing the oppressions and injustice of bad men, in good offices to the great and small, in the preservation of the rules of government, and in attention to the rights and degrees of men nobly descended, in the encouragement of men of merit and learning, in laying the foundation of virtue, as for example, by building colleges and schools, in keeping alive the learning of every sect and persuasion, in giving ease to the landholders and the merchants, in dispensing justice to the injured and oppressed, in speaking the language of consolation to the humble as well as to the great, in conciliating the hearts of princes, whether friends or enemies, and in the welfare of the Company.—In short, throughout the territories under the government of the Company there is not a single individual who has not received from the well-spread table of Mr. Hastings's bounty whatever he was entitled to ; and we, the inhabitants of this town of Calcutta, have for our parts represented only that which we have ourselves seen of the kindness, the care, the knowledge of what was right, and the humanity of Mr. Hastings, who could distinguish what was just from what was unjust, who, in his exemption from avarice was unequalled, the fountain of good dispositions, and the assemblage of mercies ; we were, and are, in every way, satisfied with and grateful to Mr. Hastings, and sweet and refreshing to our tongues are the words with which we utter his praises.

Written on 2d of Bhaudoon, 16th August, 1788.

Khaudim Usherrah Mowlovy.

Shurryat Ullah Kauzy, of the Sudder at Calcutta.

Under this seal is written, in Arabic,

“ The things which have been proved to me by ocular demonstration,

“ stration; are greater than those which are mentioned in
“ this paper.”

Molovy Mujjud U Deen Mahommed, head of the College at Calcutta.

Under this seal is written, in Arabic,

“ No person, however skilled in giving praise, can describe his
“ disposition ; he exceeds every thing that can be said in his
“ favour.”

Umdut Ul Toojar Hadjy Kerbeloy.

Mahommed Merch Mahommed Nubby Ullah.

Under this seal is written,

“ Meerza Duftry of the city of Ispahan.”

Kullunder Ally Beg.

Under this seal is written,

“ Grandson of the Nawaub Zul Fikar Jung.”

Ally Nakky Khan.

Under this seal is written,

“ Grandson of the Nazim of the Soobah of Bekker.”

Mahommed Tucky Khan.

Under this seal is written,

“ Son of the Nawaub Seif Ullah Khan, Nazim of the Soobah
“ of Tateh.”

Ally Zamin Chan, the son of Ally Nukky Khan Meen Baushy, one
of the noblemen of eminent rank of Hindoستان.

Under this seal is written, in Arabic,

“ No writing can comprehend his praises ; how then is it
“ possible that speaking should comprehend them ?—O my
“ brethren, I know him no otherwise than as he was truly,
“ a man of justice, and an upright chief.”

Row

Row Anunt Ram Behadre.

Under this seal is written,

“ The brother of Pertovy Inder Meerza Raja Maha Raja Go-
“ vindram Behadre.”

Molovy Mahommed Moshurruf.

Biffember Pundit, the Vackeel of the Mahrattahs of the Gofleh
race.

Hurry Budder Pundit, nephew of Biffember Pundit.

Molovy Mahommed Afoof.

Under this seal is written, in Arabic,

“ His praises, as set forth in this paper, were as conspicuous as
“ the sun at noon.”

Molovy Hafiz U Dien Mahommed.

Molovy Mahommed Rashed.

Molovy Khoda Newaz.

Molovy Mahommed Monaum.

Ahfun al Zemaun Rajy al Rehmaun.

Under this seal is written, in Arabic,

“ He was a sun from which there flowed no light but that of
“ justice and equity, and which did away nothing but the
“ darkness of untruth, disobedience, and contumacy.”

Bauboo Sunker Dutt, the son of Rajah Sree Kishen Sing, the ze-
mindar of the district of Chumparun.

Molovy Mahommed Kaufim.

Under this seal is written, in Arabic,

“ Whatever is said in his praise, in these lines, is proved to
“ all men.”

Golaum Hossain.

Meer Mahommed Saudick Khan Behadre, the nephew of Hubbeeb Ullah Khan, a commander of the Mahrattas.

Under this seal is written, in Arabic,

“ I saw nothing in his administration but justice and goodness, nor did I hear of any thing during his government except safety and security.”

Molovy Kaufim Ally.

Molovy Meer Ramzaun Ally.

Aratoon Khan, an eminent merchant of Bengal, the son of Petruse, an Armenian christian.

Mahommed Jummal Hafezy Koran.

Khajah Oannis, Armenian.

Shurreut Ullah Khan Behadre.

Sheer Ally Hoffsiny.

Kumber Ally.

Fuzzel Ullah.

Rooh Ul Ameen.

Dost Mahommed.

Mahommed Ameen.

Golaum Hoffsain.

Etbaur Ally Khan.

Mahaubut Ally Khan.

Nujeef Ullah Hoffsain.

Golaum Ally.

Obdul Gheffer.

Rajah Diachund Behadre, a man of rank, and one of the principal merchants of Calcutta.

Molovy Azeezullah.

Molovy Ifaas U Dien Hoffein, commonly called Meer Hoffein.
 Golaum Sufder.
 Molovy Mahommed Affur.
 Mahommed Anneefs.
 Nazir U Dien Mahommed.
 Ally Nukkee Khan Behadre, the nephew of the Nawaub Kefauyet
 Khan, the Nazim of Lahore.
 Kumber Ally Khan, the brother of Ally Nukky Khan.
 Mahommed Ally.
 Abool Kafim Khan, the son of one of the nobles of Hindoostan.
 Mahommed Saduck.
 Molovy Mahommed Rubbeea Siddeeky.
 Golaum Jaffer.
 Mahommed Ariff.
 Abdhoo Mahommed Monaum.
 Khan Jehan Khan Behadre Jefarut Jung, grandson of Sujah Kooly
 Khan, Naib of the Nawaub Suja U Dowla, deceased.
 Mahommed Kaufim Khan, son of a nobleman of Hindoostan.
 Syed Mahommed Khan, son of a nobleman of Hindoostan.
 Ally Nukky Khan, son of a nobleman of Hindoostan.
 Noor U Dien Mahommed.
 Futteh Mahommed.
 Mahommed Wuzeer.
 Sahab Daud Khan.
 Serage u Deen Ally Khan, the son of a great man and a teacher.
 Syed Attur Ally Khan, the son of Wullah Oolah Khan, one of the
 Munsubdars and royal physicians.
 Mahommed Jummaul.

Moneer u Deen Siddecky.

Mokurrem Ally.

Saudat Ally Hoffeiny.

Azmut Ullah.

Haujee Khaja Mahommed, the nephew of Fukher u Toojaur, deceased, one of the first merchants of Cashmeer.

Meer Aboo Taulib.

Murza Mahommed Jaffier, a son of Mahommed Kauzim Khan Behadre.

Mirza Mahommed Baker, a son of Mahommed Kazim Khan Behaudre.

Nudgim u Dien Mahommed.

Rehmaun Boksh.

Nuzzur u Dien Mahommed.

Alabd Mahommed Mohsen.

Mahommed Isbaal.

Fyz oolla Beg.

Dien Ullah.

Akbar Ally Hoffeiny.

Syed Mahommed Zaker.

Kummaul u Dien.

Amudy Sudduky.

Al Hajy Abdoolah of Mecca.

Golaum Hyder Khan.

Moonsthee Hyder Ally.

Molovey Syed Azeez u Dien Ally.

Syed Budder u Dien Ally Khan Behadre, one of the ancient nobles of the empire, the Vackeel of the son of Sujah ul Dowlah.

Akbar Ally Khan, a relation of the Nawaub Munneer u Dowla, deceased, who was a counsellor of the Emperor Shaw Allum.

Hyder Ally.

Mahommed Zauker.

Meer Abdal Raheem Tubbah Tubbah, the brother of Mirza Khaleel, who was one of the nobles of Persia, and in Hindostan the Vackeel of the Nawaub Mirza Nudjif Khan Zulfikar u Dowla, Ameer ul Omrah.

Imaum Ally.

Kheir o'Rahmaun Dulleel u Dien.

Moonsthee Mahommed Khan.

Moonsthee Barkut Ullah.

Rujjib Ally Khan.

Safder Ally.

Imaum Boksh.

Syed Hyder Ally, the Daroga of the Foujdary Adawlut at Calcutta.
Sheikh Wauris Ally.

Abd u Rufful, the son of Khaujah Waffah, an eminent merchant of Cashmeer.

Rashid Ally.

Wauris Ally.

Golaum Nobby.

Attah Ullah.

Mahommed Koorum.

Mudnir Boksh.

Ashruff u Dowla Intizam ul Moolk Meer Bundee Ally Khan Behadre Sumsheer Jung, grandson of Syed Amaun Ullah Khan, one of the nobles of the Emperor Alum Gheer.

Under this seal is written in Arabic,

“ The praises here bestowed on him are all short of those to
“ which he is intitled for his justice and equity.”

Molovy Mauzum Ally.

Abd Ullah.

Hyder Hoeffin.

Mahommed Golaub.

Syed Kudrut Ally.

Nujjeeb Ullah.

Jaffer Ally Ruzoy.

Muzummeel Ally Hoffeiny.

Nazir Mahommed Khen, the son of Taher Mahommed Khan, who
was a distinguished chief of the Emperor, and son-in-law of the
Nawaub Mureed Khan.

Syed Mahommed Khan, the son of the Nawaub Mureed Khan,
and brother-in-law of Nazir Mahommed Khan.

Mahommed Kamell, the son of Nazir Mahommed Khan.

Abel Ul Ruffool Beg, the brother of Nazir Mahommed Khan.

Mirza Mahommed Waurifs, the son of Nazir Mahommed
Khan.

Mahommed Kaufim.

Shoker Ullah Hoffeiny.

Aboo Ally.

Hajy Abd Reheem.

Munsoor Ally Hoffeiny.

Syed Behadre Ally Khan.

Buddee u Dien Mahommed.

Akbur

Akbar Ally.
Affud'o'Rahmaun Hoffeiny.
Moneer u Dien Siddecky.
Buddee o'Rahmaun Hoffeiny.
Shech Mahommed Mukhum.
Mahommed Ally Boksh.
Mahommed Waulah.
Akum u Dien.
Mahommed Auriff.
Attah Ullah.
Molovy Ruffeyll Dien Mahommed.
Arjun Jeynaut Jee Bunawary.
Mahommed Mukeem.
Ibaud Ullah.
Golaum Hoffein ul Hoffeiny.
Mahommed Khulleel.
Bugwunt Row, the vackeel of Maha Rajah Pateel Madagee Sindea
Behadre.
Roy Sunker Roy Behadre, the vackeel of Beetel Row Sindea.
Toraub Ally Hoffeiny.
Shiruff u Dien Auhmed.
Mahommed Nukky.
Rujjub Ally.
Ramfing Roy, the vackeel of Sehway Maha Rajah Deraje Rajah
Pertaub Sing, the Rajah of Joynagur.
Pyra Mull, the Gomastah of Rajah Cashmery Mull.
Muzahur ul Huk.
Mahommed Tuckey.

Taage u Dien Mahommed.

Golaum Ruffool.

Gocul Chund Choley, the vackeel of the Nawaub Saadett Ally
Khan Behadre, the son of the Nawaub Vizier ul Momaluck Shuja
Dowla Behadre.

Gopaul Chund Chobey.

Mahommed Mokeem Khorefhy.

Golaum Shaw Murdaun.

Himmayet Ullah Hoffeiny.

Reafut Ullah Ahmud.

Odey Kurn Dofs Bridg Bhokun Dofs.

Otum Chund.

Judoo Ram Sing.

Saheb Ram Muckoond Loll.

Surroopchund Ameen Chund.

Monohur Dofs, the son of Gopaul Dofs Shaw.

Goorfahy Coshaul Chund, the Gomastah of Gopaul Dofs Saw.

Rajah Ram Manick Jee.

Meer Syed Mahommed.

Mahommed Tukky.

Mahommed Azeez.

Mahommed Ally,

Mahommed Zamaun.

Abdol Jelleel Hoffeiny.

Kummer u Dien.

Afud Ally.

Noor Ullah.

Beer Bhaun, the vackeel of the Nawaub Deleer O Dowla Dil

Khan Behadre, the brother of Nawaub Mozuffer Jung Behadre,
who is the son of Nawaub Ahmed Khan Behadre Ghaulib Jung
Bunguish.

Sumbonaut, the Gomastah of Rajah Butcherage.

Munfur Ahmed.

Fuzle u Dien Mahommed.

Golaum Abaud Hoffeiny.

Moufa Ally.

Kummer u Dien Amhed.

Golaum Hoffein Hoffeiny.

Mooty Loll, the vackeel of the Nawaub Fyzoolla Khan, the son of
Ally Mahommed Khan, inhabitant of Rungpore.

Ahmed of Mecca.

Golaum Ombea.

Saad u Dien Ahmed.

Khier u Dien Mahommed.

Burhaun o'din Ahmed.

Abdool Ally Hoffeiny.

Mahommed Hatim.

Abdool Moally Hoffeiny.

Zahoor ul Huk.

Molovy Mahommed Yeafen.

Gholaum Byraum Hoffeiny.

Molovy Burkut Ullah.

Roo ul Ameen Hoffeiny.

Buddy u Zummaun.

Mohib Ullah Hoffeiny.

Moonshee Hoffein Ally Hoffeiny.

Mahommed Hakim.

Golaum Atkeea.

Omed Reza.

Molovy Mahommed Baker.

Mahommed Monaum.

Ballaby Kont Dofs.

Syed Suddun.

Shree Narain Mostofy.

Gool Mahommed.

Golaum Nubby.

Mahommed Arhum.

Hurry Ram Pundit.

Deedar Mahommed.

Sumboonaut Pundit.

Ranifeeta.

Ranifeeta.

Molovy Meer Jewaud Ullah.

Golaum Mostofa.

Meer Jauny.

Abdool Azeez.

Sheikh Azeem u Dien.

Sumfu Dien Hoffein.

Mahommed Waujid.

Behadre Sing, treasurer at the
Khalfa treasury.

Rada Govind Gofe.

Anoop Narain.

Ramkaunt.

Gunga Perfaud.

Ram Soonder.

Sham Soonder.

Raujehund.

Shahut Ram.

Bugwunt Ram.

Ramkishore.

Jogyram.

Ramram Karcoon.

Seroop Loll.

Purum Sook.

Ramsunker.

Parbutty Churn.

Sirridhur.

Bolanaut.

Nursing Ghofe.

Gopenaut.

Ram Lochun.

Moonfhee Mungul Sing.

Moujyram.

Jugmohun.

Boodmull, Suristahdar of the
Nusheh of the Khalfa.

Berronaut Mullick.

Doolub Ram Sing.

Shaum Raum Sein.

Bolanaut Sing.

Shaum Sunder.

Hurgopaul Sing, the son of Buf-
funt Sing, Canoongoe of the
Purgunnah of Balagautch,
in the Sircar of Hadjeeppoor,
in the Soobah Bahar.

Kishen Mungul.

Kishen Mungul Dofs.

Nursing Dofs.

Curmohun Ghofe.

Jadooram Sein.

Godower Sing.

Suddanund.

Doolol Sein.

Ramperfaud Dofs.

Luckeynarain Kunt.

Moonfhee

Moonsthee Hurnarain.

Niel Kunt.

Moonsthee Kofaul Chund.

Gocul Chund.

Nuwajee Loll.

Birjomohun Surmah.

Nemoy Churn.

Durgachurn.

Raujnarain Surmah.

Kishen Kunt Surmah.

Sheonarain Ghose.

Mooty Loll Dey.

Sieb Ram Paul.

Juggernaut Sircar.

Juggomohun.

Ramconny Seal.

Biffumber Day.

Bishnoo Churn Seal.

Ramperfaud Day.

Ruggo Mullick.

Chyton Churn Sein.

Sonauton Dofs.

Goormohun Ghose.

Rada Madow Dhutt.

Derhum Dofs Ghose.

Ramnaut Mullick.

Sookchunder Dofs.

Bindabun Dofs.

Ramnarain Surmah.

Chytonchurn Chund.

Birdabun Seal.

Roychurn Dey.

Kofaul Chund.

Kishen Churn Arut.

Ramkiffore Seal.

Sautoo Sein.

Gopichurn Seal.

Kishenperfaud.

Choitun Churn Dutt.

Sookmoy Burrell.

Surgeechund Seal.

Chitunchurn Dutt.

Hurry Dofs Mullick.

Soobachund Deir.

Kishen Churn.

Sonaton Mullick.

Monsookram.

Bunfee Buddun Seal.

Khoshaul Biffwas.

Kacem Jemautdar.

Radacaunt Paul.

Luckeechant Burrell.

Goculchund Mundel.

Anundram Dutt.

Rasbaharry Dutt.

Saroop Chund Seal.

Narain Seal.
 Konay Pauly.
 Sapply Ram Seen.
 Gocul Day.
 Gopee Churn Purdun.
 Attamaram Burrell.
 Moty Loll Paul.
 Sonatun Arnub.
 Roopchund Seal.
 Gourchern Dey.
 Kisfhen Churn Seel.
 Serauge u Dien Turrufdar.
 Maunic Mundul.
 Sumbooram Surmah.
 Konnaut Surmah.
 Dhun Ram Surmah.
 Shaum Sunder Surmah.
 Colly Perfauud Surmah.
 Gunganarain Surmah.
 Bisfhennaut Surmah.
 Shenny Dur Surmah.
 Cofaul Surmah.
 Ram Roy.
 Kaunt Naut Surmah.
 Gourree Kaunt Surmah.
 Gocul Sean.
 Modun Dofs.

Neelam Bur Surmah.
 Hurrynaut Surmah.
 Purootum Dofs.
 Punchanund Surmah.
 Monohur Surmah.
 Gourhurry Dofs.
 Sheoram.
 Ramlochun Surmah.
 Samboonaut.
 Rammohun Surmah.
 Sunjeib Sing.
 Boyjenaut Bofe.
 Nemy Churn.
 Luckun Surmah.
 Birjo Sunder Dofs.
 Ram Miffier Sing.
 Ram Lochun Dofs.
 Molukchund Surmah.
 Jagnaut Surmah.
 Ram Vuttacharge.
 Ram Kiffore Surmah.
 Ram Raunt Surmah.
 Hurriffchunder Dofs.
 Kifhen Kenker Surma.
 Ram Kaunt Surmah.
 Guddadhur Dutt.
 Suddanund Arnub.

Bowanny Perfaud Sein.
 Ram Keffore Surmah.
 Ramjoy Surmah.
 Ramperfaud.
 Fuddy Chund Dutt.
 Sery Chitunchun Dutt.
 Nundkomar Bose.
 Dataram Surmah.
 Kissen Dofs.
 Hurry Deb.
 Ramperfaud.
 Colley Dofs.
 Munt Naick.
 Suttunjeeb Surmah.
 Surbanund Surmah.
 Coonla Caunt Surmah.
 Neem Chund.
 Hurry Kissen Seen.
 Bowanny Metre.
 Gooperfaud Gore.
 Ramjoy Mullick.
 Ramsunker.
 Gunganarain Dofs.
 Ram Dofs Dey.
 Ram Hurry Surmah.
 Looknaut Dofs.
 Chundychurn Surmah.
 Hurriffchunder Surmah.
 Raibaharry Metre.

Gelaum Shaw.
 Golaum Nobby.
 Mahommed Wauful.
 Mahommed Soobhaun.
 Mahommed Kayem.
 Sheikh Azeez Ullah.
 Fuzle ul Hossain.
 Sheikh Golaum Rehman.
 Mahommed Azeem.
 Mahommed Soomby.
 Saum Sunder Surmah.
 Ramsunder Shaw.
 Mohun Loll.
 Meer Hafiz Ullah Khan.
 Fizullah.
 Goorchurn Surmah.
 Dyaram Surmah.
 Bissen Churn Nundy.
 Ramchunder Seen.
 Ramchunder Seen.
 Anundiram Turkfiddunt.
 Ganganarain Surmah.
 Comlaperfaud Surmah.
 Comlaput Roy.
 Affaram, the brother of Sheonarain,
 canoongoe of the purgunnah of
 Maune, in the Sircar Sarun.
 Junkyram.
 Baullyram.

Hurrynarain Goopt.	Rasbaharry Canoongoe.
Biffen Naut Surmah.	Roushun Mull.
Juggernaut Surmah.	Kaumrauje Mullick.
Gopinaut Dutt.	Shums u Deen.
Joyram Surmah.	Bachoo Sing.
Kiffenperfau'd Bofe.	Rehem u Deen.
Bulram Dew.	Schoram.
Ramperfau'd Dew Surmah.	Mahommed Nevauz.
Manick Surmah.	Ramchunder Dey.
Nundoolall Turkchooramony.	Ramhurry Ghofe.
Govindram Chuckerbutty.	Moty Ullah.
Guddadhur Surmah.	Roushen Ullah.
Allabed Mèherbaun Sing.	Surage u Dien.
Ram Doyal.	Bhemrauge.
Beejanund Bofe.	Gungarām Canoongoe.
Ruffick Loll.	Govindram Bofe.
Ram Sing.	Mahommed Deleer.
Deenanaut Tewarry.	Raufukh u Dien.
Sookloll.	Bugta Cubberauge.
Kurreem u Deen.	Ram Dieb Surmah.
Mudden Mitre.	Saddanund Surmah.
Churra Mun Sing.	Radakishen Bofe.
Narain Mullick.	Budgy Govind Dofs.
Bullub Sing.	Khoshaul Chund Ghofe.
Doomaul Sing.	Ram Gopaul Bofe.
Purmaun Sing.	Gopecaut Bofe.
Kishnaram, the canoongoe of the	Ramcaunt Gofc.
purgunnah of Kooreh.	Bullonaut Surmah.

Juggnaut Metre.	Ragonaut Gofe.
Ram Lochun Dofs.	Chundeechurn Bofe.
Ram Kiffore Sean.	Ramchunder Surmah.
Sheo Perfaud Surmah.	Denanaut Sein.
Gour Hurry Dofs.	Durgaram Surmah.
Govindram Dofs.	Chuckoo Surmah.
Gunfam Dofs.	Ramsunder Dofs.
Bhurronaut Bofe.	Gungadur Ghur.
Gunganarain Pundit Opadeeah.	Nettah Nund Dey.
Bereeffur Surmah.	Sadda Sheo Surmah.

(A true Tranflation.)

(Signed)

G. F. CHERRY,

Deputy Perfian Tranflator.

(A true Copy.)

E. HAY,

Secretary to the Fort.

No. 37. *Translation of a Perfian Addrefs from other Inhabitants of the Town of Calcutta, which was delivered to the Secretary by Rauje Chund Roy, and others. .*

Translation of a Petition delivered to EDWARD HAY, Efquire, Secretary to the Government, by Rauje Chund Roy, Pettumber Mittre, Durrup Narain, Colly Perfaud Ghoſe, Tunnoor Dutt, and others, Inhabitants of the Town of Calcutta.

WE, your petitioners, inhabitants of the town of Calcutta, preſent to the council an addrefs relative to Mr. Haſtings, under
our

our seals and signatures, together with a copy thereof; and in behalf of ourselves, and of the other persons who have sealed or signed the said address, do request, that the council, having caused the same to be translated by the officers of the Company, will be pleased to transmit the original and the translation to England.

What was necessary we have represented.

B B B.

Translation of the Address delivered to EDWARD HAY, Esquire, Secretary to the Government, by Rauje Chund Roy, Pettumber Mittre, and others.

WE, the greatest and principal people, merchants, and others, men of different sects and persuasions, inhabitants of the city of Calcutta, part of the territories of the English Company (whom may God long preserve in prosperity!) having heard that the exalted rulers of England, and they who preside over the courts of justice, have received displeasure in their humane hearts against Mr. Hastings, upon a suspicion that he took the money and effects of us, the inhabitants of this country, by fraud and treachery, and entirely ruined the government of the Company; therefore we, the people aforesaid, with a perfect unanimity, both in expression and meaning, according to the precepts of our several religions and customs, the observance of which we always make the objects of our hearts, do, for the purpose of dispelling the doubts of the exalted gentlemen aforesaid, bring from behind the curtain of concealment, and place upon the public seat of notoriety, such a representation of the character, and such a relation of the words and actions of Mr. Hastings,

ings, whose disposition is worthy of all praise, as is true and certain, and fully proved, and clearly demonstrated, and free from ornament and exaggeration, from the time that he was appointed to, and became invested with, the government of Calcutta, till the end of his administration. He was always occupied in the welfare of the ryotts and the improvement of the country ; in the support of the weak, in healing the oppressions and injustice of bad men, in good offices to the great and small, in the preservation of the rules of government, and in attention to the right and degrees of men nobly descended, in the encouragement of men of merit and learning, in laying the foundations of virtue, as for example, by building colleges and schools, in keeping alive the learning of every sect and persuasion, in giving ease to the landholders and the merchants, in dispensing justice to the afflicted and oppressed, in speaking the language of consolation to the humble as well as to the great, in conciliating the hearts of princes, whether friends or enemies, and in the welfare of the Company. In short, throughout the territories under the government of the Company, there is not a single individual who has not received from the well-spread table of Mr. Hastings's bounty whatever he was entitled to : and we, the inhabitants of this town of Calcutta, have for our own part represented only that which we have ourselves seen of the kindness, the care, the knowledge of what was right, and the humanity of Mr. Hastings, who could distinguish what was just from what was unjust, who, in his exemption from avarice was unequalled, the fountain of good dispositions, and the assemblage of mercies.— We were, and are, in every way satisfied with and grateful to Mr. Hastings ; and sweet and refreshing to our tongues are the words with
which

which we utter his praises.—Written on the 2d Bhauden, 16th August, 1788.

Ramniddee Serma.	Mannickchund Bofe.
Ramhurry Serma.	Hittoo Seit.
Ramruttun Serma.	Nuttoo Paul.
Caufinaut Bai boo.	Bhaugvut Sahaw.
Dewan Dyal Chund.	Fuckerchund Sahaw.
Roy Hurryram Mullick.	Juggurnaut Meter.
Anundram Mullick.	Santaram Meter.
Ruggooram Mull-ck.	Durrupe Narain Sermah.
Ramchurron Serma.	Ramtunnoo Dutt.
Sirree Narain Seet, fon of Rasbaharry Seet, grandson of Shamfoonder Seet, the son of Banarife Seet.	Cheituncherrun Dutt.
Dataram Pundit.	Ramnarain Serma.
Govurdan Pundit.—All this which is written is true.	Ramfunkter Serma.
Ramfoonder Meter.	Cheitunchurn Byfauk.
Moonfhey Imaum Bukfh.	Goorchurn Byfauk.
Arjoonjee Nautjee.	Radakifhen Soor.
Roy Huldar Sein.	Nyan Soor.
Raje Petumber Meter.	Ramlochun Gofe.
Lolchund Meter.	Dyaram Seit.
Rada Mohun Photadar.	Kalliperfaud Gofe.
Ramperfaud Phoradar.	Ramkifshore Serma.
Ramfoonder Meter.	Ramanund Roy.
	Ramfoonder Roy.
	Bennode Beharri Roy.
	Raujchunder Roy.
	Bifhnoochurrun Bofe.

Krifhunchund

Krishhunchund Byfauk.
 Cunhoy Loll Byfauk.
 Muddun Gopal Roy.
 Rauge Bullub Sein.
 Ramcunhoi Gore.
 Govindram Byfauk.
 Annunchund Dut.
 Durrup Narain Misser.
 Annunderam Dut.
 Byjeram Sermah.
 Goculchund Sermah.
 Gopinaut Serma.
 Ramfoonder Serma.
 Ramhurry Gofe.
 Indur Narain Gofe.
 Ramtunnoo Roy.
 Telookram Gofe.
 Dyaram Serma.
 Puddumlochun Gongoly.
 Koonj Behari Serma.
 Annundchund Dut.
 Goculchund Daus Gofe.
 Ramlochun Gofe.
 Permesfry Serma.
 Aggyahram Serma.
 Joogulkiffore Gond.
 Nunddoolol Gond.
 Sirree Narain Serma.

Ramhurry Gofe.
 Mahadew Gofe.
 Ramnarain Befwaus.
 Ramchunder Gofe.
 Juggernaut Gongoly.
 Maunickchund Gofe.
 Gourichurn Dee.
 Gunga Narain Daus.
 Gopinaut Chuckervuttee.
 Aggyram Chuckervuttee.
 Shamfoonder Gofe.
 Ramfoonder Roy.
 Gourichurn Daus.
 Krishun Mohun Sircar.
 Luckun Mundul.
 Ramhurree Mundal.
 Aggyram Saumee.
 Sockmi Mundul.
 Ramsunker Dofs.
 Ramchunder Mundul.
 Hurrichurn Mullick.
 Joogul Mundul.
 Rammohun Praumaunick.
 Nitta Nund Saumee.
 Neelmunnee Saumee.
 Jaggernaut Persaud Dut.
 Ramhurry Gofe.
 Auteram Huldar.

Hurrikeſhen Dee.
 Aggyahram Paul.
 Goculchund Nundee.
 Jaggernaut Sircar.
 Obhichurn Roy.
 Ramgunga Binnoki.
 Datteram Bennoki.
 Ramram Dut.
 Ramchunder Benoki.
 Maunickchund Gofe.
 Bulram Gofe.
 Bhirochurn Roy.
 Ramnarain Choudry.
 Berharidaus Daus.
 Annundiram Gir,
 Ramnarain Serma.
 Bridjoo Ram Serma.
 Hurchund Serma.
 Munnohur Paul.
 Gopinaut Gofaul.
 Ramhurri Boſe.
 Ramchunder Boſe.
 Debychurn Serma.
 Ramfoonder Metter.
 Hurbifhunchunder Serma.
 Ramdeb Sircar.
 Ramchurn Serma.
 Juggernaut Serma.

Byjnaut Bunnyjea,
 Ramram Seit.
 Dateram Chuckervettee.
 Ramlochun Chuckervettee.
 Juggutram Serma.
 Kalliperfaud Dut.
 Chunder Shekur Mitter, ſon of
 Doorgachurn Metre.
 Ramtunnnoo Mitter.
 Maunickchund Chuckervuttee.
 Annunderam Chuckervettee.
 Autmeram Chuckervuttee.
 Bhawanneechurn Serma.
 Deibechnurn Serma.
 Munnohur Gofe.
 Goorooperfaud Gofe.
 Ramkaunt Paulit.
 Kundurp Soor.
 Bulram Soor.
 Subbanund Roy.
 Gopikaunt Boſe.
 Juggatram Paulet.
 Biſhunaut Serma.
 Neelmonny Chattija.
 Rammohun Boſe.
 Ramchurn Paulet.
 Durup Narain Gofe.
 Ram Nundy Daus.

Bindrabund

Bindrabund Gofe.
 Taurnichund Bofe.
 Hurrekrifhen Paul.
 Gunfaum Sein.
 Kewalram Gofe.
 Ramkaunt Mitter.
 Hurrikefhen Gofe.
 Kifhen Mohun Gofe.
 Ramjee Serma.
 Ramloochun Serma.
 Ram Neddy Serma.
 Ramfhunker Daus.
 Ramneddi Cubberauje.
 Bulbudder Perrauree.
 Gourychurn Serma.
 Jugmohun Serma.
 Lokuram Serma.
 Ramperfaud Serma.
 Luckikaunt Serma.
 Gourachurn Dut.
 Neelmunnee Meter.
 Ramfoonder Bofe.
 Rugoonaut Nandi.
 Radakaunt Kubberaje.
 Ramlochun Mitter.
 Gunganarain Bofe.
 Byjyram Bofe.
 Byjnaut Serma.

Gourikaunt Bofe.
 Ramjy Sein.
 Seebram Dut.
 Juggernaut Bofe.
 Gokulchund Bofe.
 Seebchurn Binnoky.
 Myaram Gofe.
 Rammanund Dee.
 Gungadhur Paul.
 Praunhurri Gofe.
 Bauncharam Sing.
 Bunmauly Gofe.
 Ramfoonder Bofe.
 Maunickchund Chuckervutte.
 Cripparam Kur.
 Ramfoonder Gofe.
 Munnohur Serma.
 Ramkaunt Daus.
 Gunga Bifhen Serma.
 Kumlakaunt Bofe.
 Hurrichurn Chuckervutte.
 Gunputti Sein.
 Guddadur Dee.
 Neelmunni Gofe.
 Ramdoolal Seal.
 Chundichurn Nauk.
 Anundiram Chuckerbuttee.
 Autmeram Chuckervuttee.

Krishen Chund Mitter.

Annunde Mitur.

Radakaunt Chuckervutte.

Gokulchunder Mitter.

Aggyaram Mitter.

Shamfoonder Chuckerbuttee.

Ramchurn Chuckerbuttee.

Seebchurn Chuckervuttee.

Gourhurri Bifwas.

Ramfunker Mitter.

Dyaram Chaturjah.

Kallifunker Sermah.

Bancharam Sermah.

Kalliperfaud Sermah.

Babooram Serma.

Koonj Behary Binnoky.

Obhichurn Paulit.

Jugmohun Serma.

Ramjee Gofe.

Shamfoonder Gofe.

Ramkishore Bofe.

Bulram Gofe.

Bulram Sing.

Bhugutram Paul.

Byjnaut Chatyjah.

Atmeram Paulit.

Ramfunker Binoky.

Ragnaut Binoky.

Muddun Mohun Poor.

Gopee Mohun Binoky.

Byjyannund Soor.

Ramcunhoi Huldar.

Ramlochun Roy.

Ramfunker Mitter.

Ramram Bofe.

Gourychurn Paul.

Rajchunder Mitter.

Ramlochun Mitter.

Bryjoodhun Mundal.

Doorga Churn Ghofe.

Jynarain Mitter.

Deibnaut Dut.

Jaggernaut Bifwas.

Tahkoor Daus Mitter.

Santiram Mundal.

Gunganarain Roy.

Shamfoonder Bofe.

Ramtonoo Bofe.

Ramnarain Sircar.

Rasbehary Paul.

Ramperfaud Bifwas.

Radhachurn Bofe.

Ramchurn Bofe.

Hurrinarain Gofe.

Jynarain Bofe.

Mookteram Mitter.

Nesheram

Nesheram Sircar.
 Bendrabund Sahaw.
 Nerharree Sein.
 Ramdoolal Nauk.
 Ramram Serma,
 Mehees Serma.
 Ramlochun Mokurjah.
 Kriffen Perfaud Mokurjah.
 Kallachund Ojah.
 Hurrinarain Serma.
 Ram Gopal Sircar.
 Ramchunder Biswas.
 Byrochurn Daus.
 Ramhurri Bofe.
 Bejyram Bofe.
 Obhychurn Gofe.
 Rammohun Bofe.
 Durgah Perfaud Mitter.
 Joogulkishore Serma.
 Krishenram Bofe.
 Kalliperfaud Bofe.
 Bulram Gofe.
 Govindram Dut.
 Lolchund Sing.
 Bhowany Churn Soor.
 Ramtunnoo Choudry.
 Jugmohun Sein.
 Maunickram Dut.

Bhagirut Mitter.
 Goury Sunker Mitter.
 Annunderam Dee.
 Jaggernaut Photadar.
 Govindram Dut.
 Byjeram Daus.
 Bunnaun Sah.
 Monohur Serma.
 Ramtunnoo Gofe.
 Kalliperfaud Gungoly.
 Ramsunker Gofe.
 Bancheram Mitter.
 Shamfoonder Gofe.
 Kowul Lochun Daus.
 Ramnaut Binoky.
 Ramperfaud Serma.
 Byjyram Dut.
 Munohur Sircar.
 Ramsunker Sein.
 Ramcunhoi Binoky.
 Atmaram Sein.
 Lukshmicaunt Gungooly.
 Cunnukram Bennoky.
 Nundoolal Bofe.
 Kalliperfaud Serma.
 Doorgoperfaud Dut.
 Kheimchund Roy.
 Neddiram Dut.

Gokul Daus.
 Nyan Dut.
 Ramhurry Daus.
 Hurrinarain Dut.
 Kallifunker Dee.
 Deviperfaud Dut.
 Ramram Buttacharge.
 Ramnichurn Ghosaul.
 Ramsfuncker Bhuttacharje.
 Praunkishen Sing.
 Radakishen Sing.
 Abbyachurn Roy.
 Seetaram Gofe.
 Bowannychurn Bofe.
 Rumnarain Mitter.
 Kishencunt Sein.
 Petumber Bofe.
 Atmeram Bofe.
 Ramnidhi Bofe.
 Ramtunnoo Bofe.
 Rammohun Bofe.
 Jugmohun Bofe.
 Juggernaut Roy.
 Byjanund Dut.
 Byjanund Gofe.
 Gokulchund Daus.
 Govurdhun Mitter.
 Bhowanund Bofe.

Gourychurn Gofe.
 Bowanychurn Dee.
 Ramsfuncker Dut.
 Muddun Mohun Gofe.
 Ramperfaud Mitter.
 Ramnaut Bofe.
 Ramjy Sing.
 Mookteram Mitter.
 Ramconhoi Mitter.
 Bulram Mitter.
 Neelmunny Mitter.
 Ramtunnoo Mitter.
 Ramneddi Nundy.
 Permanund Mitter.
 Mullookchund Bofe.
 Bindrabund Bofe.
 Shamanund Dut.
 Rasbehary Dut.
 Mookteram Bofe.
 Gourychurn Mitter.
 Nittanund Dee.
 Ramniddi Dee.
 Dyafam Dut.
 Ramdoolal Dut.
 Rumkishore Mullick.
 Ramtunnoo Bifwas.
 Ramram Dut.
 Neelmunny Dut.

Surmanund

Surmanund Mitter.

Radhacaunt Gofe.

Lolchund Daus.

Ramkishore Dee.

Ramcunhoi Dee.

Bhuggowty Sein.

Dateram Serma.

Muddunmohun Ghofe.

Rammanund Mitter.

Kallifunker Binoky.

Ramchurn Daus.

Gourachund Dut.

Byjanund Daus.

Sookmy Serma.

Ramchund Roy.

Ramgopal Dee.

Jeynarain Serma.

Gunganarain Sein.

Tahkoor Daus Baunigea.

Jagurnaut Gofe.

Moonfhey Shumfudeen.

Moonfhey Nuffeerudeen.

Moonfhey Mahommed • Moo-
keram.

Munnoohur Bofe.

Radacaunt Mudjmoadar.

Preimchund Serma.

Lolbehary Serma.

Mookteram Sein.

Seeteram Gofe.

Munnohur Serma.

Ram Caunt Dut.

Goculchund Gofe.

Goculchund Bofe.

Kallichurn Dofs.

Taurachund Bofe.

Neelmunnee Sircar.

Devychurn Gofe.

Binnoodram Butteyah.

Guddadur Chund.

Bowanny Churn Dut.

Ramgopaul Gofe.

Dyaram Binoky

Nidhi Bofe.

Sahafram Bofe.

Bijoyram Serma.

Ramfunker Serma.

Ramdoolal Serma.

Jugmohun Dut.

Byjanund Gofe.

Ramfoonder Serma.

Nundkishoor Dut.

Byjyram Serma.

Shumbhoonarain Banajeah.

Guddadhur Mitter.

Kallichurn Roy.

Kumlacaunt Serma.
 Munnohur Bifwas.
 Bhirochund Serma.
 Praunbullub Serma.
 Munnohur Sing.
 Maunickram Bofe.
 Ramnidhi Serma.
 Gourachund Sein.
 Ramcaunt Dut.
 Ramdoolal Sircar.
 Ramram Sing.
 Brejdoolal Dut.
 Maunickchund Sein.
 Atmeram Bhuttacharje.
 Ramhurri Sermah.
 Maunickram Sermah.
 Ramjee Gofe.
 Brejjoo Bhuttacharje.
 Nundoolol Roy.
 Kewelram Dee.
 Seetaram Sermah.
 Kerparam Gofe.
 Rambullub Nauk.
 Maunichram Gir.
 Bowanund Mitter.
 Ramckurn Sermah.
 Byragey Churn Gir.
 Ramcunhoi Mitter.

Ramcaunt Dut.
 Krishun Ram Sircar.
 Doorganund Dut.
 Ramcunhoi Dut.
 Ramfoonder Choudry.
 Durupnarain Daus.
 Ramcunhoi Bennoky.
 Munnohur Serma.
 Ramdoolal Daus.
 Ramdhun Serma.
 Ram Suntose Gofe.
 Juggutram Kur.
 Radachurn Kur.
 Brejoolal Sein.
 Goculchund Sermah.
 Ramram Binnoky.
 Ramruttun Serma.
 Byjenaut Serma.
 Radacaunt Soor.
 Rummanund Dee.
 Ramcaunt Dut.
 Bowanychurn Dut.
 Luckinarain Dutt.
 Rammohun Sermah.
 Munnohur Sermah.
 Rauchunder Serma.
 Devichurn Bofe.
 Ramshunker Paulet.

Gunganarain Gose.

Gungaram Budhal.

Hirderam Banyjah.

Ruggoonaut Banyjah.

Doorgachurn Chuckervuttee.

Sookmy Tahkoor.

Mohunperfaud Tahkoor.

Schufram Bose.

Ramdoolal Sing.

Gourychurn Gose.

Ruggoonaut Mitter.

Ramnedhi Daus.

Ramjewan Gose.

Kirpperam Paul.

Bhoomunmohun Soor.

Aggyaram Soor.

Munnohur Daus.

(A true Translation.)

(Signed)

(A true Copy)

G. F. CHERRY,

Deputy Persian Translator.

E. HAY,

Secretary to the Government.

No. 38. *Copy Translation of a Persian Address from other Inhabitants of the Town of Calcutta; which was delivered to the Secretary by Russick Loll Dutt, and others.*

Translation of a Petition from Russick Loll Dutt, and Nemoy Chund Mullick, and Govind Chund Bysauk, and Loll Chund Mitter, and Nitty Anund Sein, and others, delivered by them to Edward Ha Esq. Secretary to the Government.

WE, your petitioners, inhabitants of the town of Calcutta, do present to the council an address, which we have prepared under

signatures, relative to the business of Mr. Hastings, together with a copy thereof; and we do request, in behalf of ourselves, and other persons who have signed the said address, that the council, having in their kindness caused the same to be translated by the officers of the Company, will be pleased to forward the original and the translation to England. What was necessary we have stated.—Furthermore, may the sun of your life and prosperity ever remain resplendent.

(A true Translate.)

(Signed) G. F. CHERRY,
Deputy Persian Translator.

C C C.

Translation of an Address delivered to EDWARD HAY, Esq. Secretary to the Government, by Ruffic Loll Dutt, Nemoy Churn Mullick, and others, Inhabitants of Calcutta.

IT having at this time come to the hearing of all us, the gentry, merchants, and other principal people of the city of Calcutta, part of the territories of the brave and noble English Company (whom may God long preserve in prosperity!) that the exalted rulers of England, and they who preside over the courts of justice, have received doubt and displeasure in their just hearts against Mr. Hastings, upon a suspicion, that taking the money and effects of us the inhabitants of this country by various frauds and artifices, he ruined the Government of the Company; therefore we, the people aforesaid, with a perfect unanimity both in expression and meaning, do ~~from~~ ^{from} our hearts, and according to what we know and have heard,
lay

lay before the exalted gentlemen aforesaid, for the purpose of dispelling their doubts, a true representation of the character of Mr. Hastings, from the time that he was appointed to, and became invested with the government of Calcutta, till the end of his administration. He was always occupied in the welfare of the ryots and the improvement of the country, in the support of the weak, in healing the oppressions and injustice of bad men, in good offices to the great and small, in the preservation of the rules of government, and in attention to the rights and degrees of men nobly descended ; in the encouragement of men of merit and learning, in establishing allowances for Mussulmen, doctors, and for pundits and students, and in supporting colleges and schools both for Mussulmen and Hindoos ; in keeping alive the learning of every sect and persuasion, in giving ease to the landholders and the merchants, in dispensing justice to the injured and oppressed, in speaking the language of consolation to the humble as well as the great, in conciliating the hearts of princes, whether friends or enemies, and in the welfare of the Company. In short, throughout the territories under the government of the Company, there is not a single individual who has not received from the table of Mr. Hastings's bounty whatever he was entitled to. And we, the inhabitants of this town of Calcutta, have for our own parts represented only that which we have ourselves seen and heard of the kindness, the care, the knowledge of what was right, and the humanity of Mr. Hastings, who could distinguish what was just from what was unjust, who, in his exemption from avarice, was unequalled, the fountain of good dispositions, and the assemblage of mercies.—We were, and are satisfied with, and

grateful to Mr. Hastings ; and sweet and refreshing to our tongues are the words with which we utter his praises.—Written on the 7th of Assin, 21st September, 1788.

Hur Dew Roy Bonneyja.
 Shaum Soonder Chuckerbutty.
 Baunchehram Chuckerbutty.
 Doorgachurn Chuckerbutty.
 Kushenperfaud Huldar.
 Tittoram Puckraufy.
 Mohunperfaud Takoor.
 Radamohun Chuckerbutty.
 Kawnla Caunt Chuckerbutty.
 Neelmuny Takoor.
 Buncheram Chulleych.
 Durgachurn Muckooja.
 Gowrchurn Mullick.
 Nemoychurn Mullick.
 Adjoodeh Ram Byfauk.
 Govind Chund Byfauk.
 Ramkifhen Dofs.
 Sew Ram Paull.
 Kifhen Churn Adeh.
 Kifhen Churn Chund.
 Rogonaut Dey.
 Goorchund Seal.
 Colly Churn Ghose.

Ramconney Bonneyja.
 Ramcunt Bonneyja.
 Ramchund Callijeh.
 Doorgaram Takoor.
 Radachurn Chuckerbutty.
 Radachurn Dey.
 Bheem Paul.
 Perboo Ram Dey.
 Juggernaut Dey.
 Bridg Dey.
 Goculchund Karfermau.
 Loll Chund Metre.
 Banaraffy Gose.
 Lucky Kunt Paull.
 Surrop Chund Paull.
 Cooshaul Chund Paull.
 Hurry Churn Dey.
 Chitonchurn Dutt.
 Hurry Dofs Mullick.
 Surrup Chund Paull.
 Nudun Dofs.
 Raus Boharry Dutt.
 Lucken Mullick.

Gooroo Churn Bodhaul.	Chitun Churn Dutt.
Akur Mullick.	Neel Money Dhur.
Goluck Churn Mullick.	Geery Dur Saw.
Ramkushen Mullick.	Byjynaut Saw.
Bulram Chund.	Beer Chrun Dutt.
Sookmoy Budhaul.	Kuttoo Seel.
Sonatun Adhey.	• Biffumber Dhur.
Adjoodhea Ram Lahau.	Kirparam Dhun.
Kowul Lochun Dey.	Sonatun Seal.
Narain Seal.	Juggernaut Seal.
Gopee Churn Muddun.	Sookmy Dher.
Rausbeharry Dhur.	Chiturn Churn Seal.
Ramkissen Adeh.	Jewun Dey.
Adet Churn Day.	Neshee Ram Dey.
Bindrabund Chund Byfauk.	Gocul Mundy.
Nity Chund Byfauk.	Nitta Nund Dutt.
Luckun Mundul.	Ruggonaut Sahay.
Surrop Seal.	Bushno Churn Seal.
Sortuck Sein.	Nitta Nund Dutt.
Gopechurn Seal.	Raje Pittumber Mitter.
Ramkishour Seal.	• Munohor Mohun Dhur.
Sham Churn Mullick.	Hur Dew Ram Seal.
Ramperfaud Chund.	Anund Dutt.
Gour Churn Seal.	Teelock Ram Paull.
Gopaul Adeh.	Purboram Dhur.
Goun Churn Dey.	Rafoo Sahah.
Gyaram Mettre.	Kishurn Ram Bose.

Gour Churn Dey.
 Bunsey Buddun Seal.
 Praunkiffen Sean.
 Ruffick Lall Dutt.
 Hur Loll Dutt.
 Ram Ram Sircar.
 Fuckerschund Tewary.
 Muddun Mohun Seal.
 Radakiffen Dhur.
 Radamohun Mullick,
 Kishun Sein.
 Puddum Lochun Mullick.
 Ramperfaud Sein.
 Munohor Mullick.
 Chiten Churn Sein,
 Nittanund Sein.
 Chitun Churn Sein.
 Surroop Chund Sein.
 Chiten Dutt.
 Jugmohun Dutt.
 Radachurn Dutt.
 Bushno Churn Seal.
 Biffember Dey.
 Chitonchurn Adey.
 Gour Perfaud Mullick.
 Gour Perfaud Mullick.
 Nemy Churn Dutt.

Bhaugwut Paull.
 Neelmoney Sahaw.
 Ramfooder Mitter.
 Radachurn Seal.
 Geery Dhur Roy.
 Bulram Dey.
 Juggutram Paul.
 Chiton Byfauck.
 Conny Pawn.
 Luckykunt Burhaul.
 Atmaram Burhaul.
 Nein Seal.

Moktaram Dey.
 Shaumchurn Mullick.
 Nundamber Seal.
 Sada Nund Adeh.
 Surroop Chund Dey.
 Gocal Kishwur Seet.
 Joogul Kishwur Byfauk.
 Radakunt Paul.
 Roop Chund Dey.
 Fakeer Chund Dey.
 Ruffick Roy.
 Saufly Ram Sein.
 Surroop Dutt.
 Surroop Chund Seal.

Nund

Nund Keshour Fotehdar.

Punchanund Pawn.

Kishwur Fotehdur.

Ramchunder Chattija.

Sectaram Seal.

(A true Translation.)

(Signed)

G. F. CHERRY,

Deputy Persian Translator.

(A true Copy.)

E. HAY, Secretary to the For

No. 39. *Letter from the Rector and Churchwarden of the
Greek Church.*

To EDWARD HAY, Esq. Secretary to the Government.

SIR,

INCLOSED we have the honour to send you an address to the Court of Directors in favour of Mr. Hastings, signed by ourselves and all the other principal members of the Greek church, in Bengal. The original address, in modern Greek, is accompanied by a copy and an English translation of it. The original and the translation we humbly request, may be transmitted to the Honourable Court of Directors by the earliest conveyance.

We have the honour to be, SIR,

Your most obedient humble Servants,

(Signed)

C. PARTHENIO, Rector of the
Greek Church of Calcutta.

MAUNODY KYRIAKOR, Churchwarder

(A true Copy.) . E. HAY,

Fort William,

Secretary to the Government

January 8, 1789.

D D D.

No. 40. *Copy Translation of a Greek Address from the Rector, and other Members of the Greek Church.*

Translation of an Address from the principal Members of the Greek Church, in Bengal, to the Honourable Court of Directors of the East India Company.

WE the offspring of Hellas, called by Europeans, Greeks, now residing for commercial purposes in Calcutta, and other places in the kingdom of Bengal, all and each of whom, except only one or two, came into this country since the commencement of the administration of Warren Hastings, the late glorious and exalted Governor of Bengal, and of all East India, trading in and about these parts free and unmolested.—We, the said Greeks, during the happy days of the late Governor Warren Hastings, having often been protected, and justly supported by him, and having also been encouraged by his noble succour and assistance to raise, in this city, a holy temple, in honour and glory of our Saviour's transfiguration in Mount Thabor, to the end that we might be fixed in this country, and that this our church should remain as the foundation of an establishment for us, and for our successors, being of the same nation and religion; we, at the same time, considering ourselves lawful subjects of his most high, powerful, and sacred Majesty, the King of Great Britain, for whose permanence, prosperity, and happiness, we, as by our duty indispensably bound, do offer up to the

the Almighty God our daily prayers : forasmuch as we have heard, with deep regret, that the said late Governor General Warren Hastings is prosecuted ; and being, on our parts, most perfectly and heartily satisfied with his wife and upright government, as well as gratified by the pious and great works which he rendered to us with his usual benevolence ; do take the liberty of testifying and declaring, by this humble representation, his Christian and universal character, his beneficent and charitable disposition towards all mankind, his just and impartial love for all the native inhabitants, whether high or low, of this kingdom, and his fervent zeal for the prosperity of the country in general, and of every individual, manifesting to all and every of them marks of paternal affection, and stretching forth his hand to those whom he found in indigent circumstances, and destitute of the necessaries of life. He was a zealous patron for the dispensation of justice to every individual, and a faithful balance of equity. In a word, he was enriched with all humane and moral endowments, and famous not only for his moral and political virtues, but worthy of praise, and to be highly spoken of for his desire to obtain and to improve the literature of this country : all which excellencies will render him admired and immortal throughout the universal world.

We, therefore, the small number of Greeks residing in Calcutta, and dispersed throughout Bengal, in true testimony of our great gratitude for the many benefits which we have received from the late Governor Warren Hastings, do join with all the world in declaring our sentiments in favour of the character of our worthy, wife, and humane patron, the late Governor General ; and have hereunto humbly set our hands, this 13th day of December, 1788, O. S.

Parthenio, rector of the church at Calcutta, and a native of Corfew.
Nathaniel, a native of Cyphanus, a priest and monk of the convent
of Mount Sinai, and rector of the church at Calcutta.

Panagiotes Alexios, of Philippopolis.

Maurodes Kyriacos, warden of the church at Calcutta. and a native
of Philippopolis.

Georgios Leontios, a native of Smyrna.

Demetrius Georgius, from Bythenia.

Sireen Khauja Abraham, of Cæsaria.

Athenasios Theodore, from Prusa.

Theocharees Georgios, from Arta.

Joannes Demetrius, from Mytilyne.

Jacobus Khauja Kofma, from Cæsaria.

Angelus Neutalcos, from Philippopolis.

Christodoulos, son of Papa Nicolaos, from the island of Neos.

Panagiotis Demetrius, from Kely.

Angelos Douca, of the island of Corfew.

Christodoulos Maurody, of Philippopolis.

Emanuel Demetrius, of Albania.

Demetrius Galanos, from Athens.

Georgius Panagiotis, from Philippopolis.

Alexandros Panagiotis, from ditto.

Anastatius Panagiotis, from ditto.

Joannes Panagiotis, from ditto.

Potos Khauja Abraham, from Cæsaria.

Jacob Khauja Isaah, from ditto.

Alexius Khauja Abraham, from ditto.

Simeon Khauja Abraham, from ditto.

Joseph Khauja Abraham, from ditto.
 Johannes Khauja Isaah, from ditto.
 Lucos Theodore, from Magnesia.
 George Careeda, from Philippopolis.
 Soteeres Anthony, from ditto.
 George Athenasius, from ditto.
 Constantinus Theodosios, from ditto.
 Constantinus Sakcence, from ditto.
 Michael Andrew, from ditto.
 Demetrius George Calogrethy, from the island of Neos.
 George Demetrius, from ditto.
 Nicholas Marinus Calonas, from ditto.
 Demetrius Christodoulos, from Philippopolis.
 Michael, from Constantinople.
 George Alexander, from Philippopolis.
 Leontius Christodoulos, from ditto.
 Alexander Keeriacos, from ditto.
 Basileus Haujy Contrantine, from ditto.
 Simeon Georgios, from Georgia
 Michael Anthony, from the island of Naxia.
 George Anthony, native of Calcutta.
 Theodorus, from the island of Samos.
 Nicholas, from Crete.
 Sabas, a Slavonian.
 Pannagiotis, from Kheletos.
 George Angelo, from Philippopolis.
 Constantine, of Trapazos.
 Jordanes, from Cæfaria.

Joannes Garaganos, from Georgia.
Anastafius Constantine, from Philippopolis.
Soteres Stogios, from ditto.
Nicholas Spiridon, from Crete.
George, from Cephalenia.
Stamatis Demetrius, from Rhodes.
Zacharias, from ditto.
John, from Kely.
Athanasius Demetrius, from Philippopolis.
Athanasius Constantinus, from ditto.
Demetrius Helia, from ditto.
George Angala, from ditto.
Anthony Phoskoulos, from the island of Tenos.
Matthew Anthony, from ditto.
Joannes, from Khely.
Thalaffinos Kauja Petros, from Trapezon.
Boikos Neno, from Philippopolis.
Paulee Stratee, from Myteline.

A true Translation.

(Signed) C. PARTHENIO.

(A true Copy) E. HAY, Secretary to the Government.

*The Thanks of the Court of Proprietors and the Court of Directors
to Mr. HASTINGS, extracted from the Minutes of Evidence printed
by Order of the Lords.*

AT a general court of the United Company of Merchants of
England trading to the East Indies, held at their house in Leadenhall-
Street,

Street, on Thursday, October 31, 1782, at eleven o'clock in the forenoon,

P R E S E N T,

Sir HENRY FLETCHER, Baronet, Chairman,

NATHANIEL SMITH, Esquire, Deputy,

With most of the Directors, and a large appearance of the generality.

The Court being met to receive the votes for the determination of the question resolved the 24th instant, to this day, put by the ballot.

The following gentlemen were appointed scrutineers to examine the said votes, and to report the determination of the said question, viz.

JOSEPH HURLOCK, Esquire.

WILLIAM PETRIE, Esquire.

JOHN TRAVERS, Esquire.

ROBERT DALLAS, jun. Esquire.

SAMUEL FARMER, Esquire.

SAMUEL SMITH, jun. Esquire.

At six o'clock the glasses being finally closed, were delivered to the scrutineers.

At about seven the same evening, Nathaniel Smith, Esq. in the chair, Joseph Hurlock, Esq. chairman of the scrutineers, brought in their report, which was read, being as follows, viz.

“ We

“ East India House, October 31, 1782.

“ WE whose names are hereunto subscribed, being appointed by
 “ the General Court of the United Company of Merchants of
 “ England trading to the East Indies, to examine the votes delivered
 “ in this day for the determination by ballot of the following
 “ question, viz.

“ That it appears to this court, from incontestible evidence drawn
 “ from the records of the Company, and supported by the unani-
 “ mous opinion of the House of Commons, that the war in which
 “ we are now engaged with the Mahrattas was evidently founded
 “ on the sentiments of the Court of Directors conveying demands
 “ on the Mahratta administration, greatly exceeding the conditions
 “ of the treaty of Poorunder; which sentiments of the Court of
 “ Directors opened the first design of sending a detachment from
 “ Bengal to the Malabar coast, and that consequently it would be
 “ the height of injustice to lay the blame of that war, or the evils
 “ which have flowed from it, upon Mr. Hastings, when it appears
 “ that the dissatisfaction of the Court of Directors, expressed at
 “ the treaty of Poorunder, in their letters to Bengal of the 5th of
 “ February, and to Bombay of the 16th of April, 1777, gave the
 “ strongest encouragement to both presidencies to seize the slightest
 “ pretence of provocation from the ministers of the Mahratta states, to
 “ renew their engagements with Rogobah; neither have the measures
 “ adopted by Mr. Hastings; in consequence of such instructions,
 “ ever received the slightest censure from the said Court of Directors.
 “ In consideration whereof, it is now recommended to the Court of
 “ Directors to rescind their late resolution respecting the removal of
 “ Warren Hastings, Esq. Governor General of Bengal; more
 “ especially

“ especially as it appears to this Court, that according to the last
 “ official dispatches from Bengal, dated April 8, 1782, the prospect
 “ of peace with the Mahrattas was then propitious, because it
 “ seemed to be wished for by all the Mahratta states, because
 “ hostilities with them had ceased for many months, and that a
 “ peace has actually been concluded with Madajee Scindia, one of
 “ the principal chiefs of that confederacy; and farther, that the
 “ Government General of Bengal were using every means in their
 “ power to effect a general pacification; and that the conduct of the
 “ said Governnor General, tending to produce a general pacifica-
 “ tion, or to unite and support, by powerful resources, a general
 “ confederacy of the country powers to defeat the combination
 “ of Hyder Ally and the French, (supposing the said Hyder
 “ Ally shall not accept of the reasonable terms of accommodation
 “ which have been offered to him in consequence of his proposals
 “ for peace) merits the warmest approbation of this court; and
 “ that therefore it would be evidently injurious to the interest of the
 “ Company and the nation, to remove any of those principal
 “ servants of the Company, now discharging their duty with such
 “ uncommon exertions, ability, and unanimity, or to shake the
 “ authority reposed in them by the legislature and the Company,
 “ at a period so critical: since the prosperity of the British interests
 “ in India will depend, in a great measure, on the confidence which
 “ the native princes of the country may place in the Government
 “ General of Bengal.”

And being also appointed to report the number of votes for and
 against the said question, having accordingly examined the said votes,
 and find viz.

428 Votes for the question.

75 Votes against the question.

353 Majority for the question.

(Signed) J. HURLOCK.
JOHN TRAVERS.
SAMUEL FARMER.
W. PETRIE.
R. DALLAS, jun.
SAM. SMITH, jun.

And a motion being made to adjourn ;

The Court, on the question, adjourned accordingly.

Read from Book 211 the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated December 19, 1784, beginning at Paragraph 38 of the same.

Par. 38. The General Court of Proprietors on the 7th November, 1783, came to the following Resolution, viz.

RESOLVED, That it is the opinion of this Court, that Warren Hastings, Esq. Governor General of Bengal, and the other members of the supreme council, have displayed uncommon zeal, ability, and exertion in the management of the affairs of the East India Company, during the late hostilities in India ; particularly in
4 finding

finding resources for supporting the war in the Carnatic under so many pressing difficulties, when that country was in danger of being lost through the successful irruption of Hyder Ally Cawn, aided by the powerful assistance of the French; and also in concluding the late treaty of peace with the Mahrattas, at a period so critical, and on terms so honourable and advantageous to the permanent interests of the Company.

Resolved, therefore, That the thanks of this Court be given to Warren Hastings, Esq. Governor General, and the other members of the supreme council, for the above specified great and distinguished service. And further, that this Court doth request the said Warren Hastings, Esq. not to resign the station he now holds until the tranquillity of our possessions in India shall be restored, and the arrangements necessary upon the re-establishment of peace shall have taken place.

39. It was the wish of the Court of Directors to have transmitted immediately to Bengal these grateful acknowledgements of their constituents to men who had served them so essentially; but the Directors were restrained, by a letter from his Majesty's secretary of state, on the ground that the affairs of the East India Company are to be laid before Parliament.

(Signed at the end)

EDM. BOEHM.	THOMAS PARRY.	W. BENSLEY.
F. BARING.	NATH. SMITH.	JOHN MICHIE.
HUGH INGLIS.	W. DEVAYNES.	GEORGE TATEM.
S. LUSHINGTON.	L. SULLIVAN.	PAUL LE MESURIER.
R. HALL.	J. MANSHIP.	JOHN MOTTEUX.
JOHN HUNTER.	J. WOODHOUSE.	JOSEPH SPARKES.
J. SMITH.		

London, December 9, 1784.

Read

Read a further Extract from the same Letter, beginning at Par. 41 of the same, as follows:

41. WE have great satisfaction in communicating to you the following resolutions, which we came to on the 28th October, viz.

“ As peace and tranquillity are now perfectly established throughout India, and this Court being sensible that this happy event has been principally owing to the able and very spirited exertions of our Governor General, and of our Supreme Council,”

“ Resolved unanimously, That the thanks of this Court be conveyed to Warren Hastings, Esq. for his firm, unwearied, and successful endeavours in procuring the late peace with the several powers in India.”

Read from the same Book the following Extract of a Letter from the same to the same, dated the 10th March, 1785, beginning at Par. 2. of the same Letter.

Par. 2. Our Governor having in his letter of the 20th March, 1783, signified his earnest desire that we would nominate a successor to the government of Bengal, we have accordingly appointed Lord Macartney as successor to the government general; and having taken into consideration the long, faithful, and able services of Warren Hastings, Esq. we have unanimously resolved, that he be

permitted to resign the government of Bengal, agreeably to his request contained in the above letter.

(Signed at the end of the letter)

NATH. SMITH.	THOMAS PARRY.
W. DEVAYNES.	GEORGE TATEM.
L. SULLIVAN.	JAMES MOFFATT.
J. SMITH.	JOHN MOTTEUX.
J. WOODHOUSE.	HUGH INGLIS.
JOHN MICHIE.	JOSEPH SPARKES.
JOHN MANSHIP.	R. HALL.
W. BENSLEY.	T. BARING.

London,
March 10, 1785.

*Read the following Extract from a separate Paper above produced,
and delivered in by the Witnesses.*

At a Court of Directors held on Tuesday, June 28, 1785.

THE Court being informed that Warren Hastings, Esq. late Governor General of Bengal, was attending in order to be introduced to the Court,

It was moved, and, on the question,

Resolved, That the chairman be directed, in the name of the Court, to congratulate Governor Hastings on his safe arrival, and to return

him the thanks of this Court for the long, faithful, and able services he has rendered to the Company.

Mr. Hastings being then introduced,

The chairman addressed him to the purport of the above resolution :

Mr. Hastings expressed his happiness in having his uniform endeavours to promote the Company's interest thus amply rewarded by the distinguished honour now conferred on him, and then withdrew.

CONGRA-

CONGRATULATORY ADDRESSES

FROM

B E N A R E S,

THE following addreeses of congratulation from the principal inhabitants of the city of Benares, were sent through the channel of the government of Beñgal to the Court of Directors, and transmitted by their orders to Mr. Hastings, with a letter from their secretary, dated the 19th of December, 1796; at which time the greatest part of the preceding sheets had been printed. This will account for their being inserted out of their proper order.

The original addreeses are written, the first in the Persian language, and the other two in the Sanscritt.—The official translation is given of the first of these: but the two last having been first rendered, by a very free translation, into Persian, and from that into English, Mr. Hastings has therefore again had recourse to his very learned and ingenious friend, Mr. Wilkins, for more correct and literal translations of them, which are now substituted for the official copies.

Translation

Translation of an Address from several Inhabitants of the City of Benares to WARREN HASTINGS, Esq. &c. &c. (Eastern Titles) late Governor General of Bengal.

HONOURABLE SIR,

WE the ryots, vassals, merchants, and tradesmen, and others, of different descriptions, both Hindoos and Mussulmans, inhabitants of the city of Benares, deemed it incumbent on us, on a former occasion, to transmit you an address under our several seals and signatures, setting forth our just sense of the comforts which all classes of the people enjoyed during the period that this city, together with the whole of the Honourable Company's dominions, were subject to your authority and controul; that your mind was wholly bent on supporting the honour and reputation of every individual agreeably to his rank and situation in life; on preserving the religion of each particular sect, and protecting them in the enjoyment of their respective customs; on rendering justice to the oppressed, and assisting those who were in distress; on exalting the chiefs of the provinces and cities, whether residents or strangers, and taking compassion on the inhabitants of small villages, both rich and poor; on founding colleges for the advancement of learning, and erecting places of worship.—We have now received the joyful tidings of the trial that was depending in the High Court of Parliament having been brought to an equitable decision, and of the suspicion which originally dwelt in the breasts of the court having been totally removed: from which it is evident, that justice distinguishes between right and wrong. Notwithstanding the trial has been of long duration, you have nevertheless

thelefs (placing your trust in Heaven, and the juftnefs of your caufe)• instead of being depressed, fupported all the inconvenience and diftreff of it with the greateft fortitude and magnanimity ; and by God's mercy juftice has at length prevailed. It undoubtedly behoves men in exalted fituations to conduct themfelves in the hour of trouble with fimilar firmnefs and refolution. It is an univerfal maxim, that pain is fucceeded by pleafure, and darknefs by light ; and praife be to God, who has caufed all kind of fufpicion to be removed from the minds of the judges. We can only attribute this to your goodnefs and forbearance, and trust in God. This favourable decifion has not only reflected honour on your character, but has fpread the fame of the juftice and dignity of the British Parliament far and near.

May the fame which you have eſtabliſhed on this occaſion, Honourable Sir, be the fource of eternal happinefs both to yourſelf and all your friends. After theſe our congratulations, we offer up our prayers, that the Almighty may ever preſerve you to adorn the feat of proſperity and power, according to the earneſt deſire of your faithful well-wiſhers and adherents.

Rajah Oodeetnarain.

Surrubjeet Sing.

Nuffer Udeen Ally Khan.

Gholaum Hufſein.

Meer Abdool Ally.

Meer Gholaum Ally.

Seyud Naffer Mahommed Khan.

Seyud Abdoolah.

Seyud Mahommed Bauker.

Mahommed Ally Khan.

Cullub Ally Khan.

Mirza Mahommed Sauduk.

Bauboo Roop Syng.

Bauboo Ouffan Syng.

Gholaum Hyder.

Cauzee Tuckee Ally Khan.

Fuzl Ally Khan.

Mehdy Ally Khan.

Ramefur

Ramefur Sing.	Huffein Mahommed.
Gholaum Nuckbund Khan.	Shaikh Huffein Ally.
Meer Ally.	Ally Ahmed Khan.
Sheonarain Sing.	Yaud Mahommed.
Ram Budder Pundit.	Seyud Jummeeyut Ally.
Hurry Budder Pundit.	Bismellah.
Shenepersun Sing.	Ikram Mahommed,
Hady Ally Khan.	Bauboo Khan.
Juggut Sing.	Doorga Dofs.
Ashur Ally Khan.	Futteh Ally.
Jaffier Beig.	Hurdutt Sing.
Abool Huffein.	Soobhaun Khan.
Bishun Sing.	Shaikh Mahommed Nader.
Bishun Chund.	Rehm Uddeen.
Bishun Chund, 2d.	Jân Mahommed.
Sook Laul.	Futteh Khan.
Hoffeiny Ally Khan.	Peer Buksh.
Behadre Sing.	Affed Oollah Khan.
Rujub Ally.	Shaikh Hiffaum Uddeen.
Kishwar Ram.	Hubbeeb Khan.
Nund Laul.	Bauboo Khan.
Sunmut Ram.	Deen Dial.
Rummon Lal.	Rehm Ally.
Dulput Roy.	Ally Ahmed Khan.
Futteh Ally.	Aliverdy.
Kishen Chund.	Imaum Uddeen.
Rahut Ally.	Diaram.
Eshk Oollah Khan.	Huffein Khan.

Bundhoo Sing.
 Shaikh Monowur Ally.
 Futteh Sing.
 Duttoo Sing.
 Moofeh Khan.
 Enayuh Mahommed.
 Shaikh Peer Mahommed.
 Neamut Khan.
 Asmut Aollah.
 Lal Khan.
 Gholaum Nubbee.
 Calch Khan.
 Golaub Khan.
 Lal Mahommed.
 Mirza Ashoor Beg.
 Ahmud Ally.
 Khoda Buksh.
 Ahmed Ally.
 Ikram Khan.
 Musherif Ally.
 Kooderut Ally.
 Mahommed Houssein.
 Mahommed Ally.
 Shaikh Mahommed Nawaz.
 Abdul Wahed.
 Moraud Ally.
 Houssein Ally.
 Cummer Ally.

Mahommed Ewuz.
 Khyr Uddein.
 Mahommed Ally Khan.
 Ramzan Ally Khan.
 Sujah Ally Khan.
 Shaikh Calao.
 Amanut Ally.
 Dhaun Sing.
 Ram Jeeawan.
 Ramperfaud.
 Gholaum Houssein.
 Houssein Beig.
 Rehmaun Khan.
 Sheo Lall.
 Fuzl Ally Khan.
 Roostum Khan.
 Raotee Ram.
 Dunnoo Housseinee.
 Muckoo.
 Wauris Ally.
 Imaum Buksh.
 Ram Jeeawun.
 Bhowun Sing.
 Jurawun Sing.
 Lotoo Sing.
 Chain Sing.
 Mahommed Ashrif.
 Ghauzunder Khan.

Sufder Ally.
 Mozaffer Ally.
 Waris Ally Khan.
 Alladaud Mahommed.
 Azoodha Perfaud.
 Ramjun Sing.
 Wares Ally Khan.
 Derfhun Sing.
 Nourung Sing.
 Ballee Sing.
 Audhan Sing.
 Moty Ram.
 Shewperfaud.
 Jeffwunt Sing.
 Ram Sing.
 Fyz Oolah.
 Tuckee Ally Khan.
 Ghous Mahommed.
 Affud Ally.
 Boo Ally Khan.
 Deenoo Sing.
 Rehm Oollah.
 Mooraud Mahommed.
 Deen Mahommed.
 Mahommed Rezza.
 Aman Ullah.
 Abd Ullah.
 Shaikh Mahommed.

Shaikh Jar Oollah.
 Mahommed Umjâd.
 Kurreem Oollah.
 Mahommed Ally.
 Mahommed Zumma.
 Gholaum Mahommed.
 Jân Mahommed.
 Hufhmut Oollah.
 Kâder Bukfh.
 Uzeez Ullah.
 Imaum Reza.
 Mahommed Aflum.
 Mahommed Ally Khan.
 Mahommed Azeem.
 Currum Ally Khan.
 Mahommed Punnah.
 Rujjub Ally.
 Behadre Sing.
 Mahtob Roy.
 Dherum Chund.
 Kurramat Khan.
 Abdul Nubbee.
 Nonidram.
 Shaikh Peer Mahommed.
 Lal Mahommed.
 Meer Ferzund Ally.
 Munnoo Lâl.
 Foujdaur Khan.

Badel Khan.
 Bishen Pershaud.
 Shew Dial Sing.
 Goshaine Meynporee.
 Amur Geer Goshain.
 Soobhaun Ally.
 Roshun Ally.
 Jankey Sing.
 Ram Sing.
 Dammodur Dofs.
 Dutt Ram.
 Churn Geer.
 Mirza Hyder Ally.
 Luchman.
 Bissun Chund.
 Zorawur Ally.
 Munnee Ram.
 Narrain Sing.
 Roshun Sing.
 Byjenaut Misser.
 Chunchal.
 Khyrât Ally.
 Manikchund Misser.
 Heera Geer.
 Balkishen.
 Fuker Chund.
 Peer Bukh.
 Khosai Misser.

Mirza Afud Ally.
 Bheekun Misser.
 Beny Ram.
 Kertah Sing.
 Bowanny Saw.
 Ram Ghoreeb.
 Goneish Ram Misser.
 Saheb Ram.
 Meer Rehm Ally.
 Doorga Dutt.
 Fatimah Beebee.
 Beekum Geer.
 Puffotum Bukh.
 Omanauth.
 Jaggernaut.
 Mirza Akbar Ally.
 Persaram Sing.
 Roop Sing.
 Faker Chund.
 Gunga Pershaud.
 Mahommed Azeem.
 Soobahoo Dofs.
 Monohur Dofs.
 Hussain Ally.
 Abhyram.
 Raj Sing.
 Moolchund.
 Sheo Churn.

Dial Sing.	Khoda Bukh.
Mahommed Moneer.	Shaikh Durgahee.
Rampershaud.	Ghous Khan.
Jagernauth.	Rampershaud.
Sadhaw Ram.	Sulymaun Sing.
Goneish Miffre.	Kurreen Sing.
Goman Sing.	Deen Mahommed Khan.
Gungaram.	Deen Dial.
Hurnarain.	Poordib Khan.
Unjoor Sing.	Shaikh Gholaum Ally.
Toorah Bauz Khan.	Afreh Sing.
Gholaum Mahommed.	Nuncoo Sing.
Nujeif Ally.	Bustee Ram.
Bhyroonaut.	Hinga Khan.
Sooklal.	Jaoo Sing.
Abdool Nubbee Khan.	Chobah Sing.
Bhowanny Sahae.	Shaikh Bifharut Oollah.
Noured Roy.	Futteh Sing.
Huffain Ally.	Mahommed Akel.
Ghinnoo Sing.	Jan Mahommed.
Nyan Sook.	Jokoo Sing.
Huffain Ally.	Duffoo Sing.
Manick Chund.	Doolaur Sing.
Brijlal Sing.	Puttun Sing.
Namdâr Khan.	Sheolal Sing.
Bukfram.	Bhowanny Shaiwuk.
Omaid Sing.	Jhuggut Sing.
Taike Chund Sing.	Bheekoo Sing.

Hoollofs Sing.		Bitcheek Sing.	
Fukkeer Bukh.		Shaikh Jeeun.	
Shetab Sing.		Firmaun Sing.	
Mowazzum Sing.		Byaram.	
Durfun Sing.		Sheo Deen Sing.	
Daiby Sahaee.		Bhowanny Pershaud.	
Sheo Raj Sing.		Imam Bukh.	
Buffy Ram.		Bulloo Sing.	
Hur Lal Sing.		Sheo Churn.	
Nuncoo Sing.		Sher Khan.	
Murdun Sing.		Goolzaur Sing.	
Bishen Dutt Sing.		Nahal Sing.	
Rambukh Sing.		Chain Sookh.	
Cheyte Sing.		Munna Sing.	
Bitchuk Ram.		Afreh Sing.	
Chooramun.		Noor Mahommed.	
* Cashmeery Mul.		Urjun Jee and	}
Gowaul Dofs and	}	Nauth Jee.	
Brejmohun Dofs		Goculchund and	}
Rajah Butchrauz and	}	Govind Chund.	
Bauboo Bishefhur Dofs.		Futteh Chund Sraff,	}
Brijrauwun Dofs and	}	Comlaput, and	
Coomun Dofs.		Sheo Dofs.	
Mohun Dofs and	}	Khaik See and	}
Ram Dofs.		Tillock See.	

* All the preceding names are stamped on the original address with seals ; those which follow are all written.

Tillock

Tillock See and	}	Pemenarain and	}
Ameer Sec.	}	Bholaunauth.	}
Cashenawth and	}	Kishen Lal and	}
Nundram.	}	Ram Dofs.	}
Balchund and	}	Bal Govind.	}
Tillock Chund.	}	Gopaul Dofs.	}
Dial Dofs and	}	Mohun Lal and	}
Daifa Miffre.	}	Noneed Roy.	}
Juddooram and	}	Neelput Roy.	}
Hurry Sing.	}	Buckamul and	}
Nyaun Sookh and	}	Bhunsee Dhur.	}
Lal Jee.	}	Pheakoo Dofs.	}
Madho Dofs and	}	Sree Kishen.	}
Neratum Dofs.	}	Luckmun Dofs.	}
Oodhi Kurreen Dofs.	}	Brij Bhookun Dofs.	}
Sheo Buksh, and	}	Chotoo Lal.	}
Kesho Dofs.	}	Jeewun Dofs and	}
Daiby Saha Miffre.	}	Hurjee Mull.	}
Doolum Dofs and	}	Muddun Gopaul and	}
Nerotum Dofs.	}	Punjab Roy.	}
Jadoo Roy and	}	Bauboo Gungapershaud and	}
Mohun Lal.	}	Mohun Lal.	}
Ram Dofs and	}	Myaram and	}
Luchmun Dofs.	}	Lal Chund.	}
Brijbashee Mull.	}	Setaram and	}
Ram Dofs and	}	Gopaul Dofs.	}
Doolum Dofs,	}		

Lal Jee and	• }	Byjenauth Jee Kutkee.	
Zowky Lal.	}	Bulwynt Rao.	
Daiby Dofs and	}	Govind Rao.	
Ram Diaul.	}	Ankre, signed by	
Madajee and	}	Oonkut Rao and	
Govind Jee.	}	• Paroo Rung.	
Sadha Sheo Jee.	}	Rishoo Dofs and	
Govind Jee Bankré.	}	Purma Dofs.	
Ragoonaut.		Lutchmun and	
Sewojee Cangré.		Chintamun.	
Hurpershaud and	}		
Madha Ram.	}		

(A true Translation.)

(Signed)

J. LUMSDEN,

Agent to the Governor General.

(A true Copy)

C. SHAKESPEAR,

Sub. Secretary to the Government.

*Translation of an Address from other Inhabitants of Benares,
by Mr. WILKINS.*

WE, a number of people of different casts, inhabitants of the prosperous city of Benares, humbly address you, the illustrious Nawāb, Amādadowlah, Hastings, Behādar. When the government of the provinces of Benares, Bengal, Bahar, and other countries was under your auspices, people of all descriptions, both high and low, performed the duties of their several callings in peace and happiness. The same attention was paid to the humble as to those of rank; law was put in force against the lawless; commiseration was
shown.

shewn for the distressed ; their ancient and lawful honours were duly preserved to the inhabitants ; and proper respect was paid to both natives and strangers. In order to make known such eminent virtues, we once upon a former occasion transmitted our gladly subscribed address. And now what joyful tidings are become the object of every ear ! The cause of your illustrious person, which was trying in the court of justice, called the Parliament, has been decided according to law in that assembly ; and all the suspicions which were entertained against you by others have been entirely done away. Although so much time had been spent in your trial, yet being endued by the Almighty with the strength and stability of a mountain, depending on the firmness of your disposition, and trusting to the merits of your actions, insupportable as were your misfortunes, they never penetrated into your mind. The cause has been decided in the assembly, by the pleasure of the Almighty, according to justice. It is the peculiar distinction of great men not to lose their courage in the time of misfortune. It is evident to the understanding of every man, that pleasure succeeds pain ; that where there is darkness, at another time there is light : thus, through the mercy of the Almighty, have been destroyed the foul suspicions which had entered the minds of those great men, and this cause has been finally determined according to the merits of your former actions. The fame and abundant glory of the just decision which those great men have made according to your good actions, have extended far and near. The man whose actions are of good report has all mankind for his well-wishers. Thus we pray that happiness may attend upon your good actions ; and may the Almighty always preserve you in honour and respect !

This

This writing is dated the 7th of the light fortnight of the moon of Phalgoona, in the year 1852 of the Samvat.

The Seals and Signatures to this Address.

Kâsee-nâtha, professor of general knowledge, ornament of logic,
Seal. and, among Panditas, called the chief of science.
 Râma-chandra Sarmâ, *surnamed* Târa.

Vcedyâ-nanda Sarmâ, *surnamed* Bhatta.

Gangâ-râma Sarmâ.

Seeva-prafâda Sarmâ.

Anoopa-nârâyana Dêva Sarmâ.

Sâlagrâma Treepâtthee.

Reefhee-râja Meefra.

Deeksheeta Haree-râma Sarmâ.

Sooka-dêva, astronomer.

Manoo-jee Jôsee.

Deeksheeta Doorlabha-jee.

Râma-parfâda Sarmâ.

Lakshmee-patee, astronomer.

Kâsee-nâtha, Treepatthee.

Krishnananda Sarmâ.

Soodha-kara Sarmâ, *surnamed* Târa.

Dhana-patee Sarmâ.

Manô-râtha Sarmâ.

Kêvala-râma Sarmâ.

Soodha-kara Sarmâ, *surnamed* Târa.

Kêvala-râma Meefra.

Deeksheeta Jatâ Sankara, professor of the Rik-vêda.

Sookla-mârkandâyêswara, professor of the Sâma-vêda.

Krishna-deeksheeta Déva Sarmâ.

Harce-dêva Sarmâ.

Doorgâ-charna Sarmâ.

Heerâ-manee Sarmâ.

Veerêswarâ Sarmâ, *surnamed* Sêsha.

Jaya-râma Sarma, *surnamed* Bhâta-vada.

Gowree-prafâda Sarmâ.

*

*

*

*

} four names in the Malabar character not known.

Jaya-râma Bhattha, professor of the Yajoorâ-vêda.

Mownee-râja, professor of the Atharva-vêda.

Bhyrava-chandra Sarmâ.

Sambhoo-nâtha Sarmâ.

Râmânanda Sarmâ.

Ramêswara-bhattha Gahwara.

Gôveenda-bhattha.

Manee Sarmâ.

Babanoo Sarmâ.

Chêtâ Sarmâ.

An Address from the principal Hindoo Inhabitants of Benares.

WE, a number of your industrious servants, Brahmans and other Hindoos, Mussulmans* and other foreigners, whose constant residence is here on the delightful, beautiful, and for ever full-flowing stream; where, by conquering sundry evils, we are become pure, and where we enjoy at ease abundant happiness flowing from the profits derived from our several exertions, humbly address you, the illustrious Navob Amâduddowlah, Governor Haflings Bahâdur, Jalâdat Jang,†

by whose

preservation of our honours, we live respected in the full enjoyment of our several ranks in society; and without derogating from whose merits, we are reminded of the government of ancient princes, when we behold the vast increase of wealth and prosperity throughout the whole country.—But, hark! what means this roaring of voices in the ocean of every virtue? ‡ The moon of praise and victorious renown,

* There do not appear any Mussulman signatures to this address. It was probably intended to be signed by them, but was afterwards found unnecessary, they having subscribed a separate address for themselves. It is worthy of observation that the original word is *Yavana*, by which, in books more ancient than the time of Mahommed, they seem to denote a nation far to the westward of the Indus. The Persians call Greece *Yunân*, from *Ionía*; and it is probable the Hindoo term, though now applied to the Persians and other Mussulmans, was formerly confined to the Greeks.

† The sentence which should occupy this blank space, is merely descriptive of the rank and office of the person to whom it is applied. As it is expressed in a style of figurative allusion, which bears no analogy to any other species of oriental composition, and might be liable to ridicule, if this book were at any time to fall into fastidious hands, it is therefore omitted, the sense of the context being complete, and more intelligible, without it.

‡ By the ocean of every virtue is meant the upper ranks in society.

ashamed of the wantonness of the impotent, shineth forth in great splendour through the purifying investigation of your administration of affairs, in the royal hall of justice, spreading a bright mantle over the dark suspicions of malversation ! Wherefore this day our hearts, filled with the supremest sense of joy, unite in meditation for your happiness : and what more is necessary ?

(VERSE.)

“ O Chief ! the merit which is derived from well-governing the
 “ people will extend thy future happiness to eternity. O may
 “ thy days endure until the dissolution of all things, with honour
 “ and glory upon the earth ! ”

(VERSE.)

While the business was yet in agitation, our gladly subscribed address was laid before the, &c. !*

Now, again, having heard the fame of his glorious victory, most pleasing to every ear, the gods on earth, (Brahmans) and others, present their congratulations in this written chaplet of sweet-scented flowers.
 Dated Friday, the seventh of the light fortnight of the month of Vîśākha, in the year 1853 of the Samvat.

The Signatures to this Address.

Seal of Haree Bhadra Pandeeta.

Seal of Veefwambhara Secva Bhadra.

Seal of Râma Bhadra Pandeeta.

* This sentence in the original is almost in terms the same as that to which the preceding note refers, and is for the same reason omitted.

(PROSE.)

• (PROSE.)

The blessings of Râma-chandra, surnamed Kôtakara, be upon the virtuous purposes of the Hastings ! *

Dâdam Bhatta Sarmâ, surnamed Bhatta, wishes Mr. Hastings constant happiness !

May the blessings of Sêsha Haree Râma Panta for ever be upon Hastings, skilled in the ordinances of virtue !

Neela Kanta Sarmâ, surnamed Rajeem Bhatta, constantly offers up prayers for the general prosperity of, &c. !

(VERSE.)

O that the good blessings of Haree Râma Sarmâ, cherished by the Lord of the Universe, may long spread their influence over the head of, &c. ! •

The blessings of the regenerate Mahēē Dhara be upon Hastings, bestower of happiness, proficient in the true intent and purpose of the ordinances of justice, and steadfast in the ways of virtue !

Poonya Stambha Mookoonda hath bestowed at Kâsee a glorious number of blessings upon, &c. ! ..

Seeva Râma, called Dasa Pootra, hath sung the hymn of victory to the god of fate, for, &c. !

May the good fruits of the blessings of Vênce Agra Râma Dasa Pootra for ever be upon the head of Hastings, &c. !

* In this, and all the following subscriptions, the name of Hastings invariably recurs, with an epithet of honour annexed to it. These epithets, considered as expletives, or if capable of being understood in a literal sense, certainly not proper to appear in a work of which he is himself the editor, are therefore omitted.

(PROSE.)

(PROSE.)

Râjâ Râma Sarmâ, furnamed Jathee, congratulates the **Haft-**
ings with constant blessings !

(VERSE.)

The innumerable good wishes of the Vâfoo-dêva Goorjaras, of Kâsee
are constantly offered for the prosperity of, &c. !

(PROSE.)

The blessings of Mookoonda Dêva be upon, &c. !

The blessings of Lakshmana Pandeeta, furnamed Dafapotra, are
offered for, &c. !

(VERSE.)

Lakshmana Sarmâ, furnamed Bandhava-kara, offers prayers for
the, &c. ! The rest a play upon words.

The blessings of Jagannâtha Sarmâ be upon the axis of justice, the
Hastings ! Prayers are constantly offered up to
the great God for his prosperity ; it is even by the force of love for
that great man that we here chant his happiness !

(PROSE.)

The abundant blessings of Veefwa Roopa Nathoo Bhattha be upon
&c. ! The rest a play upon words.

May the numerous blessings of Kripâ Krishna Sarmâ (among those
whose residence is in the chief city of * Veefwêfwara, furnamed
Yajneeka), with a daily increase of fortunate events, reach
the, &c. !

* Literally, the god of nature, one of the epithets of Seeva, who is the tutelary deity
of Benares.

Bacham Bhattha Sarmâ, furnamed Mownee, constantly wishes the
• Hastings every kind of prosperity !

(VERSE.) •

The abundant and eternal blessings of the astrologer Jaya Râma be
upon the • Hastings, fully endued with magnanimity, and all
the other virtues !

•
May the blessings of the regenerate Nânha, furnamed Goorjjara, be
for ever upon, &c. ! And may the Divinity, whose residence is
Kâsec, the seat of every kind of happiness, and on whose diadem
is the moon, preserve him !

(PROSE.)

May the blessings of Vaksîha Yâdava reach, &c. !

Toondha Râja Deeksheeta presents congratulations to, &c. !

The blessings of Bhirava Deeksheeta, furnamed Palanêtakara, be
upon, &c. !

May the blessings of Nârâyana Bhattha, furnamed Powrâneeka, be
upon, &c. !

May the blessings of Cheenta Manee, furnamed Kâarlakara, be
upon, &c. !

The blessings of Râma Krishna Nâpata be upon, &c. !

The blessings of Bhirava Bhattha, furnamed Ghoola, be upon the
Hastings, experienced in the ordinances of moral
conduct !

May the blessings of Bâla Krishna Deeksheeta, furnamed Ayâcheeta,
extend to, &c. !

•
Sakhâ Râma Bhattha, furnamed Laghâtya, sends blessings to
the, &c. !

May

May the blessings of Seeva Rama Bhattha, furnamed Kâtree, be upon
the Hastings, the chief jewel of the crown !
May the blessings of Gangâ Râma Bhattha, furnamed Môghee,
reach, &c. !
May the blessings offered by Yajnêswara, approach, &c. !
May the blessings of Râma Krishna Deeksheeta be upon, &c. !
May a store of blessings from Bhirava Deeksheeta, furnamed Teelaka,
be upon Hastings !
May the plenteous blessings of Jaggannatha be upon, &c. !

(VERSE.)

Let the blessings of Sadâ Seeva Sarmâ, furnamed Ambhônakara,
reach the Hastings ; and O may the twelve-eyed god,
offspring of the mountain-born mother, or else that offspring of
the mountain-born mother, who is distinguished by the half of
half twelve eyes, protect and preserve thee !*

(VERSE.)

May the abundant good wishes of Râma Chandra Panta Sarmâ reach
the Hastings, a jewel worthy a place in the diadems of
all the kings of the earth ; and O may the God, on whose forehead
is the infant moon, the universal Lord, the sea of mercy, whose
mansion is in the garden of bliss, protect and preserve thee !

(PROSE.)

Abundant blessings from Râja Râma, furnamed Ardha Mana, be
upon, &c. !

* Kârteeka and Ganesa (Mars and Janus), personifications of Courage and Prudence,
the offsprings of Seeva and Pârvatee.

(VERSE.)

(VERSE.)

O may the blessings of Valam Bhattha, of the race of Bhâradwâja, which grant his every wish, reach, &c.!

Hadst thou obtained the government of the whole earth, the happy people would have been made glad in Kâsee, and in pious prayers have sung, " May his reign be prosperous !" O Hastings, may the peaceful blessings prepared by Veefwaroopâ, surnamed Dhoon-dee, be upon thee, thou cherisher of virtue !

Krishna Bhattha, having heard the glad tidings of the fame acquired on those shores which are surrounded by the ocean by the Hastings, sends him greetings of victory !

(PROSE.)

May the prayers and blessings of Anta Râma, surnamed Pata-vardhana, be fully effective on, &c. !

(VERSE.)

May the blessings and congratulations of Bâla Mookoonda long continue with, &c. !

(PROSE.)

May the abundant blessings of Bhawnee Sankara Sarmâ, surnamed Thâkoora, his constant well-wisher, for ever be effective on the Hastings, &c. [The rest a play upon the word Hastings, which they write Eeshteen.]

(VERSE.)

The constant blessings of peace of Treepâtee Jânakee Nâtha Sarmâ,
be upon, &c. !

May heaps of blessings reach the Hastings, cherish
of the rights of the poor, from Seeva Lâla !

(PROSE.)

May the blessings of Jagannâtha be upon, &c. !

(VERSE.)

May the abundant blessings of Râma Krishna, surnamed Ghoolia,
which are entirely due to merit, and are as oceans of happiness,
shine upon the Hastings, ! [The
rest obscure.]

(PROSE.)

The prayers and blessings of Loka Nâtha Dêva be upon, &c. !

The congratulatory blessings of a Brahman who is a worthy object of
the mercy of Veefwêswara, the Lord of the Universe. May the
blessings of Jagannâtha Bhattha Marâthee shine upon, &c. !

The blessings of Krishna Bhattha Lalla be upon, &c. !

Numerous and perpetual blessings, and congratulations of success,
from Okabalâha Sarmâ to, &c. !

(VERSE.)

The good prayers of Sakhâ Râma, surnamed Târâ, for ever at-
tend, &c. !

(PROSE.)

(PROSE.)

May the many good wishes offered by Manee Râma, furnamed Mahâ Janee, the son of the astronomer Râmêswara, be fulfilled for, &c. !

May the good blessings of Cheentâmanee Deeksheeta, furnamed Karnâta, affect, &c. !

Dhoodhee Râja Bhattha, furnamed Pharaka, sends good blessings to, &c. !

May the good prayers of Jagannatha, furnamed Ghoola, shine upon, &c. !

The good wishes of Bâpoo Deeksheeta, furnamed Drôna, attend the, &c. !

Râma Chandra Dêva sends his good wishes to, &c. !

May the good wishes of Bhâskara Bhattha, furnamed Laghâta, be propitious on, &c. !

(VERSE.)

May the good wishes, abundantly offered up by Sree Neevâfa Pâthaka, the son of the astrologer Paramânanda, affect him !

By the pleasure of Veefwa Nâtha, may treasures of good wishes be the prize of victory to the Hastings, sovereign of the land of truth !

(PROSE.)

The eternal good wishes of Mahâ Dêva Dêva, be for, &c. !

May heaps of the most perfect blessings shine upon the Hastings from Seeva Bhadra Pâthaka !

May a heap of blessings from Seeva Râma Ghôfa, made happy by the news of the glory of his acquired fame, shine forth in splendor upon, &c. !

May the abundant blessings of Adeetya Râma, Pataka of Kâfee, daily increase upon the Mahâ Râja who is called Hastings! May innumerable blessings of Vyâsa Veenayaka, of the garden of delight (Banaris) shine upon the head of the, &c.!

(VERSE.)

O may that Hastings, during whose government the Kalee was of the measure of the Krita Yooga (the golden age returned), for ever prove victorious when tried by the nobles of the land! Râdha Charana, of the court of justice established in the city of Vârânasee (Banaris) prays to the Lord of the Universe for the prosperity of that great man!

The remaining signatures, between ninety and a hundred, containing nothing but mere names, are here omitted.

After the preceding Documents were transmitted to Mr. Hastings, the following Papers were received from Bengal, and enclosed to him by the Secretary of the Court of Directors, by their Orders:

Extract of Bengal public Consultations, June 6, 1796.

READ the following letter, and enclosures from the senior judge of the Benares court of appeal and circuit, in his capacity of agent to the Governor General.

To

*To the Honourable Sir JOHN SHORE, Bart. Governor General, &c.
of Fort William..*

HONOURABLE SIR,

HAVING been solicited by many of the most respectable inhabitants of the city of Benares to forward addresses of congratulation from them to the late Governor Général, Mr. Hastings, on his acquittal from the charges preferred against him by the House of Commons, I have thought it my duty to receive the addresses and transmit them to you, that they may be sent to England the first opportunity, if you should see no objection to the measure. They are three in number, one from the Rajah and the Bauboos of his family, and from the principal Mussulman and Hindoo inhabitants (merchants and others) of this city; one from Cashoonaut, the head Pundit of the Paut Sâlla, or Hindoo college, and the other Pundits on that establishment; and a third from the remaining Pundits, and other creditable Hindoo inhabitants of Benares.

The original addresses will be forwarded under a separate cover by this day's post, and translations of them are inclosed for your information.

Lest it should be supposed that any influence was used to procure these addresses, I think it necessary to explain particularly how far I was consulted on the subject. I was first informed that it was intended to address Mr. Hastings by Bissumber Pundit, the agent of Rogogee Bhoolia, Rajah of Bherar, soon after the account of his acquittal was received at Benares, and I was solicited as the local agent on the part of government to forward the address when prepared. My answer was, that I should very readily send it to you,
whenever

whenever it might be delivered to me for that purpose. I heard nothing more on the subject for several months, nor until the addresses had been made out, and lay for signature at Bissumber Pundit's house. At that time several of the principal inhabitants came to me, and told me that they were desirous of affixing their names to them, but wished, in the first place, to learn whether I thought that government would have any objection to the measure. On these occasions I invariably informed such as applied to me, that their signing or not depended entirely on their own option, and that they might be assured that this was a matter perfectly indifferent to government; the addresses were accordingly delivered to me a few days ago, in their present form.

A letter from Bissumber Pundit to Mr. Hastings, which he requests may accompany the addresses, is sent under the same cover with them. I have, &c.

Benares, (Signed) J. LUMSDEN,
May 28, 1796. Agent to the Governor General.

RESOLVED, That a copy of Mr. Lumsden's letter, with copies of the addresses from the inhabitants of Benares to Mr. Hastings, late Governor General, be forwarded to the Court of Directors by the next dispatch.

THE following letter from Lady Dacre to Mr. Hastings was received, as its date indicates, on the morning of the day on which the Lords assembled, for the last time, in Westminster Hall, to deliver
 their

their verdict on the trial. The same motive which induced the virtuous and amiable writer of it to communicate to Mr. Hastings the very important information which it contained, has since prevailed upon her to comply with his earnest request, that he might be permitted to render it more effectually subservient to the cause of justice, which was its original object, by annexing it to this collection.

S I R,

JUSTICE to the unbounded confidence ever reposed in me by the most deserving and truly lamented of husbands demands my thus informing you, Sir, of his impartial and well-weighed sentiments in your favour. And, though I am conscious you can want no additional testimonial of your merit to what your own heart justly affords, still I conceive that a mind like your's will receive great satisfaction from the knowledge of the deliberate and unbiassed approbation of so perfect a man, and so virtuous a judge, as my beloved Lord certainly was. He was well acquainted with the history of India ; had maturely considered the whole period of your prosperous administration in that country ; had diligently, and I might almost add constantly, attended the long trial ; had, carefully read, in our happy retirement in this place, every evidence and every document offered in Westminster Hall, previous to the last sessions ; and I beg leave to assure you, his opinion of your merit was increased by each day's observation of your conduct.

He was particularly anxious to give his decision upon the subject ; and at our return from the last day's trial (but three days before that fatal illness which deprived me of the tenderest of husbands and dearest of friends, and, I think I may add, the world of a very great ornament,

ornament), he expressed his satisfaction that the trial was ended, and his anxious wish to live to give you his firm and decided acquittal upon the whole of the charges. To me he had often expressed before his wish upon the subject : he repeated it that night. How much I feel, and how deeply I regret, that it is not in his power to-morrow to fulfil it, the world can never know ; but I hope to evince, as far as possible, in this, as well as every other instance, my truest remembrance of his sentiments, and my highest gratitude for his affectionate and unlimited confidence ; and to shew, by every action of my mournful life, that the same thoughts, and sentiments, and wishes, ever prevailed in our united minds.

With every sincere wish for your long enjoyment of health, happiness, domestic ease, and that applause your conduct has so highly deserved,

I am, SIR,

Your obedient humble Servant,

M. I. DACRE.

Lea,

April 22, 1795.

A P P E N D I X.

BY an inadvertence, the effects of which were not discovered till the impression was too far advanced to admit of correction, the names which were subscribed to the addresses from India, which are entered in pages 500, 503, and 506, were omitted.

As this deficiency would have defeated one essential purpose of the book, and left it without the necessary marks which were to direct it in its destination, those addresses repeated, with the names respectively appertaining to them, are here given in an Appendix.

To the Honourable WARREN HASTINGS, Esq. Governor General.

S I R,

WE, the British inhabitants of Calcutta, impressed with real concern at your departure from India, entreat your acceptance of this public tribute, in testimony of our general satisfaction in the whole tenor of your long administration, and our lasting sense of your many patriotic exertions.

For a series of years, we have uninterruptedly enjoyed, under your government, the blessings of private comfort, and public tranquillity, and no one can recollect a period wherein impartial justice, political wisdom, and a liberal attention to the rights of individuals, were more eminently conspicuous.

We have seen you in many of the most critical situations to which political life can be exposed ; in none of these have we perceived you to deviate from the dignity of your station, the integrity of your character, or the vigour of your public conduct : in every vicissitude you have been provident and collected ; and whilst you have proved yourself invulnerable to insurrection, you have equally displayed yourself superior to calumny.

The grand outlines of the connection by which this country is united to Great Britain have been, under your auspices, precisely ascertained, and its continuance decisively secured. The unwieldy system of the double government has been reduced to order and simplicity. The administration of civil and criminal justice, instead of a burden on individuals, or an engine of corruption, has under your prudent reformation become a blessing to ten millions of people. Arts have been uniformly patronised. The channels of communication between ourselves and the natives have, by your liberal encouragements, been opened ; and our settlement has increased to a degree of magnitude and splendor, which evinces the wisdom of your measures, and the mildness of your government.

While the rest of India looked up to you alone for their preservation from the distractions of war and the desolations of famine, we have enjoyed an uninterrupted plenty and security, blessings which, while we continue to possess them, we shall never cease to remember

were procured for us by your spirited measures, which have raised upon the most solid basis the superstructure of public happiness.

May that happiness, and every other, be secured to you during the remaining period of your life, which can arise from the possession of unfulfilled virtue, and the consciousness of unremitted labours for the good of society; and may you be blest, on your return, with the brightest reward a patriot mind can court, the applause of your sovereign, and the gratitude of a country to which you have proved yourself so illustrious an ornament!

We have the honour to be,

Honourable SIR,

Your most obedient humble Servants,

Calcutta,

Feb. 1, 1785.

Stephen Bayard.

Charles Chapman.

David Anstruther.

Walter Gowdie.

Robert Mac Forlane.

Samuel Watfon.

George Williamfon.

William Johnson, } Chaplains.
Thomas Blanchard, }

Charles Johnston.

William Larkins.

D. H. M'Dowall.

R. Grindall.

James Stark.

Charles Stuart.

Jonathan Duncan.

George Dallas.

Edward Colebrooke.

Thomas Graham.

A. Hefilrige.

A. A. Barbor.

H. G. Honycomb.

W. Wroughton.

John Scott.

J. Y. Bradford.

J. Lumfden.

Edward Tiretta.
 C. Croftes.
 James Robertson.
 Claud Alexander.
 David Anderson.
 Lewis Thomas.
 John Anderson.
 C. Cockerell.
 Samuel Middleton.
 William Charles Alston.
 Thomas Thomson.
 John Moubray.
 F. Le Blanc.
 John Bebb.
 John Mall.
 R. C. Plowden.
 John Zeah Kiernander.
 R. W. Kiernander.
 A. Montgomerie.
 T. Motte.
 V. Ivory.
 R. Goodlad.
 P. Touchet.
 Constantino Parthenio.
 H. P. Forster.
 John Miller.
 G. M. Kinderdine.
 Robert Morse.

G. Foxcroft.
 J. Railowe.
 W. Paxton.
 W. Toone.
 John Fombelle.
 G. Irving.
 G. Dowdeswell.
 Henry Pemberton.
 B. Hartley.
 Angelo Ferramondo.
 C. Ranken.
 R. S. Perreau.
 S. R. Jackson.
 Wm. Jackson.
 Francis Gladwin.
 Alexander Lennox.
 William Mackintosh.
 R. Gillespie.
 James Agg.
 A. Willand.
 Thomas Philpot.
 J. Mc. Clary.
 W. Haverkam.
 C. Oldfield.
 C. Benezet.
 William Smoult.
 J. Peiarce.
 J. Evelyn.

Dd. Killican.	A. Molony.
Herbert Harris.	John Burgh.
Abraham Caldicott.	Henry Lodge.
Thomas Abraham.	W. B. Smith.
J. Macan.	Trevor Wheler.
J. Cuming.	W. Luard.
Joseph Yorke Kinloch.	James Frushard.
Robert Percival Pott.	Thomas Cowley.
Alexander Carnegie.	W. Dunkin.
C. F. Brix.	J. B. Smith.
Jacob Blaquiére.	W. Camac.
John Reid.	William Barton.
Francis Pierand.	Simeon Droz.
William Pawfon.	Henry Walter.
Charles Wilkins.	J. Prinsep.
Francis Le Gros.	John Hamilton.
R. Sherriff.	James Stark, jun.
T. Dashwood.	Francis Lherondell.
W. Bondfield.	Charles Bodham.
T. H. Davics.	F. Redfearn.
George Ruffel.	F. Wilford.
Francis Rundell.	John Shore.
Tilman Henckell.	Alexander Wright.
Edward Montagu.	R. H. Colebrooke.
Thomas S. Brooke.	John Rider.
G. Cruttenden.	John Baird.
Fairfax Morelby.	Thomas Bainbridge.
M. Corr.	Andrew Gardiner.

William Sands.
Robert Dawes.
Henry Dawes.
B. Fuller.
W. Haverkam.
N. Fontana.
Thomas Yeats.
Charles Allen.
Robert Church.
Charles Todd.
Richard Austen.
T. Yeats.
John Cotton.
Charles Meares.
George Nesbit Thompson.
J. Gardner.
Peter Bowers.
Peter Speke.
Francis Balfour.
John Mordaunt.
Clement Francis.
Cudbert Thornhill.
S. Toone.
William Harding.
W. M'Gwire.
George Elliott.
George Forbes.
James Forbes.

J. Macdonald.
Charles Child.
George Powny.
A. E. Young.
C. Barber.
W. Johnson.
P. Yonge.
S. Hampton.
Thomas J. Metcalfe.
Jacob Rider.
Robert Ireland.
U. Browne.
Alexander Denton.
Henry Ackland.
J. Hannay.
W. Blair.
A. W. Hearsey.
D. Achterlony.
J. Grant.
William Rooke.
Charles Sealy.
John Jones.
Edmund Morris.
George Wroughton.
Henry Ramus.
J. Monggouh.
George Perry.
Thomas Pigou.

J. Bruere.

J. Bruere.
 John Scrymgeour.
 B. W. Healy.
 John Fergusson.
 John Bayne. .
 R. Uvedale.
 R. Kennaway.
 Henry Vanfittart.
 James Spottiswoode.
 H. Richardson.
 Alexander Colvin.
 B. Geraud.
 John Wood.
 William Tomkins.
 C. Hamilton.
 D. Cuming.
 A. Seton.
 Thomas Brown.
 B. Mason.
 G. F. Cherry.
 John Cockerell.
 Nicholas Grueber.
 Joseph Price.
 Robert Kyd.
 Thomas Shaw.
 Thomas Whingates.

R. Hannay.
 Stephen Bagshaw.
 Thomas Law.
 George Wroughton.
 James Grant.
 George Burrington.
 John Wilson.
 J. Humphry.
 J. L. Chauvet.
 Henry Colebrooke.
 W. K. Amherst.
 Richard Scott.
 W. Williams.
 Do. for T. Lee.
 N. B. Halhed.
 H. Brisco.
 H. Calcraft.
 M. Carnegie.
 J. Garstin.
 Thomas Phipps.
 W. Mercer.
 Robert Ord.
 Jonathan Scott.
 Andrew Young.
 George Craig.

To the Honourable WARREN HASTINGS, Esq. Governor General, &c.

S I R,

WE, whose names are hereunto subscribed, officers of the Bengal army, with profound respect, and most perfect esteem, take the liberty of addressing you on your departure from amongst us.

Many of us as citizens have already signed the general address, which was projected, prepared, and signed, in the short space of thirty hours, and presented to you on the morning of your departure, with the signature of near three hundred of the principal persons of the settlement, to which large additions have been since made, and still are making.

But it was judged, that an address from the officers of the army in their collective capacity, after you had left the settlement, would more fully demonstrate to yourself, and to all the world, how very dear you were to them as soldiers, and afford them an opportunity of recording the causes of their esteem, by a recital of the events which produced it.

We all know, Sir, either by having seen it, or by having heard it from those who were on the spot, that you have been very near thirteen years at the head of this settlement: that you came to the chair as governor immediately after the most dreadful calamity that ever befel a people, and found the country much depopulated, the treasury empty, and a most enormous debt contracted: that the plans which you so judiciously laid when governor, were afterwards carried into execution by the Governor General and Supreme Council, of which you have hitherto been the head, and effected a discharge of the debt, filled the treasury with cash, and restored life
and

and vigour to the country : that during this period the government was convulsed by jarring interests and unusual opposition ; but, nevertheless, you maintained your post with dignity to the state, with honour to yourself, and confusion to the enemies of our country : that the natives, taking the advantage of what they supposed a divided government, entered into a confederacy to destroy the influence of the English in India, and to set up that of the French, who secretly promoted the union, and afterward joined in league with them : that all these efforts were baffled, and India preserved to us, by your firmness and the vigour of your government, from which an expedition, planned by yourself, was sent forth, and an army under General Goddard traversed regions unknown from the East to the West of India, and, in spite of the disasters which befel those who were to co-operate, reached the coasts of Surat, and conquered provinces from the powers at war with our nation.

It is also well known, that, in the midst of this scene of trouble, the French and Spaniards, and afterwards the Dutch, joined to attack us, and were aided by the late Hyder Ally, who, before the Dutch war, invaded the Carnatic, defeated the English in battle, and reduced to his obedience the whole of that country, except Madras and Vellore, and some few paltry forts in the neighbourhood of the presidency : that, when all men considered the state of the Carnatic to be desperate, you rose to rescue them from impending ruin ; and, though Bengal was threatened with invasions, nobly resolved to meet the enemy at a distance ; you sent out two detachments, which gave strength and vigour to the army under Sir Eyre Coote, thereby saved the British possessions in that part of India, and reduced the enemy to conclude an honourable peace without the

smallest loss of territory : and, lastly, that the armies serving at a distance were paid, fed, clothed, and armed, by the exertions and resources of your government.

Thus, Sir, under your administration, have the united efforts of our numerous and powerful enemies been frustrated ; and India, by the conquests there made from the European powers, has afforded the means of redeeming what the nation lost to them in every other part of the globe.

We therefore entreat you to accept this just and grateful tribute of our praises, and our warmest thanks for having opened the paths which led to glory, and afforded to the Bengal army the means of acquiring honour, and of being serviceable to the state at large.

Permit us now, Sir, to express our feelings on your departure. Time, and the contemplation of your illustrious actions, created an esteem which is deeply rooted in our hearts ; and our sorrow at losing the man whom we considered as the father of the settlement is, as it ought to be, great and poignant ; we must therefore seek for consolation in our hopes that you are going to receive those honours and rewards which are due to superior merit ; and with united voice we pray that such may be the event.

Isaac Eaton, Major Commandant.	James Collins, Lieutenant.
J. Brisbane, Captain.	James Clarke, Lieutenant.
Richard Adams, Lieutenant.	James Griffiths Hoare.
Daniel Gillis, Lieutenant.	Charles Fraser, Lieutenant.
Patrick Quin, Ensign.	Thomas Shuldham, Lieutenant.
Solomon Earl, Captain.	William Hincksman, Lieut. 8th
John Law, Lieutenant.	Reg.

F. A. Dodsworth, Capt. 8th Reg.	R. C. Dalrymple, Captain.
Robert Amos, Lieut. 8th Reg.	F. Breton, Captain.
James Etherton, Fort Adjutant.	J. Mordaunt, Capt. Lieut. Art.
Dyson Marshall, Captain.	Christopher Robinson, Lieut.
James Roach, Lieutenant.	Thomas T. Basset, Lieutenant.
George Barclay, 2d Lieutenant.	Henry Scott, Lieutenant.
Alexander Mc. Veagh, Lieutenant.	S. Burnthwaite, Lieutenant.
H. U. D. Esterre, Lieutenant.	Joseph Channing, Lieutenant.
George Waugh, Captain.	John Grey, Lieutenant.
William Dick, Lieutenant.	Alexander Macleod, Lieutenant.
Thomas Harris, Lieut. Colonel.	Joseph Wade, Lieutenant.
Samuel Wood, Lieutenant.	William Bedell, Lieutenant.
Robert Bruce, Captain.	James Tetley, Lieutenant.
S. Jones, Ensign.	Duncan Macpherfon, Ensign.
S. Penny, Surgeon.	William Linstedt, Lieutenant.
Thomas Marlay, Ensign.	William Major, Lieutenant.
G. M. Lawtie, Ensign.	W. D. Fawcett, Lieutenant.
T. Hawkshaw, Captain.	George Benson, Lieutenant.
Robert Bomford, Captain.	S. Brown, Lieutenant.
E. Sandford, Captain.	James Kellie, Lieutenant.
W. Watfon, Major.	J. Gage, Lieutenant.
John Maclean, Lieutenant.	J. Becker, Jun. Deputy Pay-
Ar. Ahmuty, Lieutenant Colonel.	master.
S. Showers, Major.	Nath Lennard, Lieut. F. W.
Vere Warner Hufsey, Capt. Art.	Andrew Frazer, Lieut. Art.
W. Vanas, Major.	A. Glafs, Lieutenant Artillery.
Joseph Romaine, Captain.	A. Robinson, Lieut. 3d Reg.
John Ferand, Captain.	Seapoys.

Newel Domet, Lieutenant.
 W. Bridgman, Lieutenant.
 William S. Greene, Lieutenant.
 Roderick Frazer, Lieutenant.
 John Galborne.
 D. V. Kerin, Lieutenant.
 John Odell Roch.
 William Hill, Lieutenant.
 William Evans, Lieutenant.
 J. W. Adams, Lieutenant.
 David Birrell, Lieutenant.
 P. Hay, Major.
 Lud. Grant, Captain.
 John Bellaffis, Lieutenant.
 Francis Philips, Ensign.
 William Spottiswoode, Assistant
 Surgeon.
 Robert Dawes, Major.
 H. Bennet, Captain.
 Robert Bowie, Lieutenant.
 I. L. A. Mulock, Lieutenant.
 Hugh Cuming, Lieutenant.
 James Tolfrey, Ensign.
 John Williams, Surgeon.
 William Comyn, Lieutenant.
 Richard Hay, Ensign.
 Thomas Paterson, Ensign.
 T. Call, Captain.

A. Kyd, Captain.
 Reuben Burrow, Mathematical
 Teacher to the Corps of Engi-
 neers.
 William Golding, Lieutenant.
 G. Burrington, Lieutenant Co-
 lonel, commanding the Eu-
 ropean and Native Infantry
 Invalids.
 Thomas Thomson, Captain In-
 valid Corps.
 John Mouggouh, Lieutenant.
 William Molyneux Marston,
 Lieutenant.
 Robert Vernon, Ensign.
 L. Wells, Ensign.
 Richard Davidson, Ensign.
 John Carruthers, Ensign.
 T. Williams, Lieutenant.
 Cozens Framingham, Lieut.
 John Fukins, Lieutenant.
 Peter Combauld, Lieutenant.
 George Moffett, Ensign.
 Joseph Marley, Lieutenant.
 Edward Ellerker, Major.
 Alexander Thompson, Captain.
 Cornelius Bradford, Captain.
 Robert Anderson, Captain.

Thomas

Thomas Jaffray, Lieutenant.	John Forbes, Lieut. Col. 1st.
Richard Walker, Lieutenant.	Brigade.
T. Burke, Lieutenant.	James Williamson, Captain 1st
Thomas Freeman, Lieutenant.	Brigade.
James Gilpin, Assistant Surgeon.	E. A. Swiney, Lieut. 1st Brig.
Patrick Green, Lieutenant.	Phil. Baldwin, Lieut. 1st Brig.
Anthony Polier, Lieutenant Co-	H. J. Saunders, Lieut. 1st Brig.
lonel.	John Ralph, Lieut. 1st Brig.
William Cook, Major.	William Slurlock, Ensign, 1st
William Palmer, Major.	Brigade.
Robert Frith, Captain.	A. N. Mathews, Ensign, 1st
P. Douglas, Captain.	Brigade.
T. Polhill, Lieutenant.	J. Greme, 1st Brigade.
James Gould, Lieutenant.	James Plumer, Lieutenant.
Robert Beecher, Lieutenant.	J. Eales, Lieutenant.
J. Smith, Lieutenant.	Joseph Richardson, Lieutenant.
Henry Mercer, Lieutenant.	Philip D'Auvergne, Lieut. 1st
George Fleming, Lieutenant.	Brigade.
Henry Houston, Lieutenant.	John Laird, Serjeant Major.
James Frazer, Lieutenant.	R. Blane, Lieut. Col. 1st Brig.
Thomas Durham, Lieutenant.	T. Harding, Major, 1st Brig.
James Turnbull, Lieutenant.	J. Nicholls, Major, 1st Brig.
Robert Morris Bagshaw, Lieut.	S. Knowles, Captain, 1st Brig.
J. U. Val Dubois, Lieutenant.	George Wilson, Capt. 1st Brig.
Richard Robinet, Lieutenant.	George Austin, Capt. 1st Brig.
St. Prelaz, Ensign.	John Guthrie, Capt. 1st Brig.
William Blair, Col. 1st Brig.	George Young, Capt. 1st Reg.
H. Brisco, Lieut. Col. 1st Brig.	A. Mitchell, Ensign, 1st Brig.

C. L. Simpson, Ensign, 1st Brig.	J. Gascoyne, Lieutenant, —.
William Hopper, Ensign, 1st Brigade.	W. Aufwick, Lieut. 1st Brig.
	J. Noke, Captain.
B. D. Hancorn, Ensign, 1st Brig.	William Alston, Captain.
J. Mackay, Ensign, 1st Brigade.	Alexander Orme, Lieut. 1st Brigade.
J. Hind, Ensign, 1st Brigade.	
John Hunt, Ensign, 1st Brigade.	John M'Donald, Lieut. 1st Brigade.
M. Hofferma, Lieut. 1st Brig.	
Robert Steere Allen, Lieut. 1st Brigade.	Peter Blair, Ensign, 1st Reg.
	Samuel Cox, Captain, 1st Brig.
Anthony Hamilton, Lieut. 1st Brigade.	Charles Christie, Lieut. 1st Brigade.
R. Gutran, Lieut. 1st Brigade.	P. Powell, Captain, 1st Brig.
B. L. Greiwr, Lieut. 1st Brigade.	William Rennie, Ensign, 1st Brigade.
George Eagle, Ensign, 1st Brig.	
George Jones, Ensign, 1st Brig.	James Morgan, Colonel.
A. Harwell, Ensign, 1st Brigade.	John White, Lieutenant Col.
George Hyde, Ensign, 1st Brig.	L. Grant, Captain.
William Allardice, Ensign, 1st Brigade.	Thomas Martin, Lieutenant.
	W. M. Baker, Lieutenant.
John Carige, Ensign, 1st Brig.	J. Haynes, Captain.
N. Waugh, Ensign, —.	Thomas Amphlett, Ensign.
James Irwin, Ensign, 1st Brig.	George Foulis, Lieutenant.
D. Coupland, Ensign, 1st Brig.	Walter Williams, Lieutenant.
D. Weldon, Ensign, 1st Brig.	John Wallace, Ensign.
Joseph Fletcher, Ensign, —.	B. W. Healy, Lieutenant.
W. Cuppage, Lieut. 1st Brigade.	R. Llewellyn, Lieutenant.
Edwin Lloyd, Lieut. 1st Brigade.	Joseph Brandt, Ensign.

John

John Mouggouh, Lieutenant.	J. Hickland, Lieutenant.
John Llewellyn, Lieutenant.	Joseph Blenman, Ensign.
James Moore, Ensign.	Henry Stewart, Assistant Surgeon.
Thomas Wyatt, Lieutenant.	Richard Henry, Lieutenant.
James Wilson, Assistant Surgeon.	Richard Scott, Captain.
Stephen Matthews, Surgeon.	L. Carlisle, Captain.
James Agg, Lieutenant Engineer.	Jonathan Scott, Lieutenant.
J. Cowley, Surgeon.	James Pearson, Captain.
Robert Duff, Ensign.	R. C. Pearson, Lieutenant.
H. Browne, Ensign.	T. H. Foster, Lieutenant.
James Edwards, Lieutenant.	R. W. Burrow, Lieutenant.
Thomas Long, Lieutenant.	P. Kelly, Ensign.
R. Grueber, Captain.	Mark White, Lieutenant.
J. Meredith, Captain.	G. Johnston, Major.
Francis Enander, Ensign.	Ewan Bushby, Lieutenant.
Benjamin Cuthbert, Lieutenant.	Richard Parry, Ensign.
John Burrow, Lieutenant.	Pierce Cassidy, Adjutant.
H. Philips, Captain.	John Jarrett, Lieutenant.
J. Pugh, Lieutenant.	J. Wedderburn, Major.
George Ball, Lieutenant.	John Luther Richardson, Lieut.
R. Aitkens, Lieutenant.	Robert Mitchell, Lieutenant.
H. Worsley, Lieutenant.	Cæcilius Newport, Lieutenant.
George Middleton, Ensign.	James Jollie, Ensign.
Charles Middleton, Lieutenant.	John Bell, Ensign.
Leonard Simpson, Lieutenant.	Charles J. Ristell, Captain.
William Yule, Lieutenant.	J. Landey, Major.
Charles Wales Lamborn, Lieut.	E. M'Namara, Lieutenant.
James Simpson, Lieutenant.	Benjamin

Benjamin William Warren, Lieut.	Richard Macan, Captain.
William Fraser, Lieutenant.	Charles Hamilton, Lieutenant.
Edmund Cracroft, Lieutenant.	Robert Watherston, Lieutenant.
Henry Preston, Ensign.	James S. Ewart, Lieutenant.
John Abercrombie, Lieutenant.	Samuel Palmer, Lieutenant.
Charles Child Wilson, Ensign.	I. D. Michie, Lieutenant.
Charles Ware, Major.	John De Courcy, Lieutenant.
John Campbell, Captain.	George Gillespie, Lieutenant.
Robert Campbell, Ensign.	John Ranken, Lieutenant.
Robert Dunkley, Lieutenant.	Thomas Anderson, Lieutenant.
John Home, Lieutenant.	Andrew Cranston, Lieutenant.
James Davieson, Lieutenant.	John Mc. Clintock, Lieut.
Samuel Wroe, Lieutenant.	William Rankin, Ensign.
George Brietzike, Lieutenant.	J. Richardson, Ensign.
John Williams, Surgeon.	Thomas Macan, Ensign.
Thomas Macklarkan, Lieutenant.	John Gardiner, Captain.
Charles Brietzike, Lieutenant and Adjutant.	James Wilkinfon, Capt. Art.
James Morris, Captain.	George Milne, Assistant Sur- geon.
William Robertson, Lieutenant.	J. H. Hutchinson, Lieutenant.
S. Bird, Lieutenant.	J. H. Paschoud, Lieut. F. W.
Collins Campbell, Lieutenant.	John Nelly, Lieutenant, F. W.
John Hughes, Lieutenant.	A. Bailey, Lieutenant, F. W.
Richard Hodgson, Lieutenant.	T. Phillips, Assistant Surgeon, Artillery.
George Hardyman, Lieutenant.	John Neish, Lieutenant, Art.
P. O'Donnell, Lieutenant.	James Davidson, Lieutenant.
James Crawford, Major.	Edward Davies, Lieutenant.
C. Ranken, Captain.	

John

John Owen, Lieutenant.	Thomas T. Metcalfe, Major.
George B. Eyes, Lieut. Colonel.	John Cockerell, Major.
John Shipton, Lieutenant, Art.	Robert M'Kenzie, Major.
William Denby, Captain.	Robert Kyd, Lieutenant Col.
J. J. Winwood, Lieutenant.	John Serymgeour, Captain.
William Pickett, Lieutenant.	Augustus Keppel Dickson, Capt.
Alexander Caldwell, Lieut. F. W.	Samuel Watfson, Captain.
William Ridley, Lieutenant.	Isaac Humphreys, Lieutenant.
James Hodgson, Lieutenant.	Jonathan Scott, Lieutenant.
J. Hamond, Lieutenant.	John Bullivant, Lieutenant.
A. Knox, Lieutenant.	Hiram Cox, Lieutenant.
John Clerkin, Lieutenant.	R. H. Colebrooke, Lieutenant.
Edmund Wells, Lieutenant.	John Anderson, Lieutenant.
R. B. Gregory, Lieutenant.	J. W. Hopkins, Lieutenant.
J. Salmond, Ensign.	George Prole, Lieutenant.
Thomas Scott, Major.	T. D. Pearce, Colonel.
Charles Jackson, Captain.	Patrick Duff, Lieut. Col.
H. Imlach, Lieutenant.	Thomas Harris, Lieut. Col.
F. C. Wroughton, Lieutenant.	Justly Hill, Major.
John Sturmer, Lieutenant.	G. Deare, Major,
James S. Ewart, Lieutenant.	Samuel Sears, Captain.
Robert Sands, Lieutenant F. W.	C. R. Deare, Captain.
Alexander Hardy, Major.	Vere Warner Husley, Captain.
Alexander Guthrie, Lieutenant.	D. Woodburn, Captain.
Pat. M'Culloch, Lieutenant.	Christopher Green, Captain.
S. Hampton, Colonel.	Robert Gairdners, Captain.
J. Edmonson, Lieutenant Colonel.	G. Montagu, Captain,
R. Blane, Lieutenant Colonel.	George Howell, Captain Lieut.

W. Carnegie, Captain-Lieutenant.	Alexander Caldwell, Lieutenant,
John Fox, Captain-Lieutenant.	F. W.
William Dunn, Lieutenant.	James Wilkinfon, Capt. Lieut.
Thomas Greene, Lieutenant.	John Nelly, Lieutenant, F. W.
Edward Clarke, Lieutenant.	A. J. Bailey, Lieutenant, F. W.
William Bruce, Lieutenant.	J. F. Paschoud, Lieut. F. W.
J. Grand, Lieutenant.	T. Philips, Assist. Sur. Art.
R. Hetzler, Lieutenant, F. W.	Robert Hamilton, Capt. Lieut.
H. Douglas, Lieutenant.	J. Mordaunt, Captain-Lieut.
James Robert Enshaw, Lieut.	A. Glas, Lieutenant.
Andrew White, Lieut. F. W.	Andrew Frazer, Lieutenant.
William Shipton, Lieut. F. W.	Nathaniel Leonard, Lieutenant,
W. Blundell, Lieutenant.	F. W.
Charles Ralph, Lieut. F. W.	A. Balfour, Lieut. F. W.
Joseph Budworth, Lieut. F. W.	A. Watkins, Lieut. F. W.
William Thomas Hall, Lieut.	Thomas Hill, Lieut. F. W.
F. W.	George Johnson, Lieut. F. W.
T. Bendley, Lieutenant, F. W.	D. Macpherson, Lieut. F. W.
Alexander Carnegie, Surgeon.	John Glas, Lieutenant.
S. F. J. Sampson, Captain-Lieut.	B. Tullok, Lieutenant, F. W.
J. D. Sherwood, Lieut. F. W.	C. J. Edwards, Lieut. F. W.
William Fead, Lieutenant, F. W.	George Raban, Lieut. F. W.
A. Macdonald, Lieutenant, F. W.	George Fuller, Lieut. F. W.
H. Strachan, Assistant Surgeon.	John James Peirce, Lieut. F. W.
John J. Briscoe, Lieut. F. W.	William Gardiner, Deputy
Henry Willis, Lieutenant, F. W.	Commissary of Ordnance.
W. Murray, Lieutenant, F. W.	William Stokes, Conductor.
S. Hack, Surgeon, Artillery.	Thomas Griffin, Lieut. F. W.

John

John Maclean, Lieutenant.	Alexander Hind, Lieut. F. W.
E. W. Butler, Lieutenant, F. W.	J. L. Humphreys, Lieutenant,
W. D. Gardiner, Surgeon.	F. W.
A. Gibb, Assistant Surgeon.	E. Baker, Lieutenant, F. W.
Thomas Dowell, Lieut. F. W.	Robert Brown, Lieut. F. W.
A. Dun, Lieutenant, F. W.	Charles Hutchinson, Lieut.
John Toppin, Lieutenant, F. W.	F. W.
William Rattray, Captain-Lieut.	R. Turton, Lieutenant.
Joseph Taylor, Lieut. F. W.	T. Hardwicke, Lieutenant.
A. Gale, Lieutenant, F. W.	J. Barnady, Captain.
W. Smith, Lieutenant, F. W.	J. Binns, Captain-Lieutenant
John Hornford, Lieutenant.	of Artillery.
William Mylne, Lieut. F. W.	Cornelius Davies, Capt. of Art.
Henry Grace, Lieutenant.	P. Cranch, Lieutenant.
John Fergusson, Surgeon.	James Gordon.
Alexander Robertson, Lieutenant,	S. Nash, Lieutenant-
F. W.	D. Constable, Lieut. F. W.
John Wittit, Lieutenant, F. W.	J. Buchanan, Major.
James Collier, Lieutenant, F. W.	T. M. Elwood, Lieutenant.
Gervase Pennington, Lieutenant.	C. Smyth, Lieutenant.
Charles Wittit, Lieutenant.	Thomas Majee, Lieutenant.
Alexander M'Leod, Lieut. F. W.	George Hutchison, Lieutenant.
Alexander Buchan, Lieut. F. W.	Peter Lambert, Lieutenant.
Alexander Ligertwood, Lieut.	Joseph Ashe, Lieutenant.
Charles Scott, Captain.	John Burnett, Lieutenant.
John Barton, Capt. Lieut. Art.	George Heard, Lieutenant.
George Mason, Lieut. F. W.	James Denny, Ensign.
Robert Douglas, Lieut. F. W.	John Hamilton, Captain.

John Malcolme, Lieutenant.	Henry Nash, Lieutenant.
Chidley Coote, Surgeon.	T. Taylor, Lieutenant.
Christopher Knudson, Lieut. Col.	Charles White, Lieutenant.
William Duncan, Major.	Litt. Burrell, Lieutenant.
W. Clode, Major.	William Paterfan, Lieutenant.
Samuel Sears, Captain.	T. Brougham, Lieutenant.
R. Limond, Captain.	James Price, Lieutenant.
John Withenton, Captain.	Thomas Hurring, Ensign.
Thomas Welsh, Captain.	K. H. Gillman,
Justly Hill, Major, Artillery.	M. Macnamara, Ensign.
Jabez Mackenzie, Captain.	George Clamy, Lieutenant.
John Howe, Captain.	W. Maxwell, Lieutenant.
John Fergusson, Surgeon.	Alexander Lightwood, Lieut.
George Bayer, Surgeon.	R. Dee, Lieutenant.
William Sandys, Lieutenant.	John Staples, Lieutenant.
Thomas Cust, Captain.	Charles Stewart, Lieutenant.
W. M. Clary, Major.	A. Grant, Lieutenant.
H. V. White, Lieutenant.	Henry W. Hicks, Ensign.
John Reid, Lieutenant.	W. Hastings, Lieutenant.
William Boyd, Assistant Surgeon.	J. F. Smith, Lieutenant.
J. Cunningham, Lieutenant.	George Fuller, Lieutenant.
P. Black, Lieutenant.	Thomas Smith, Lieutenant.
Ar. Davies, Lieutenant.	Benjamin Litton, Lieutenant.
A. Munro, Lieutenant.	Matthew Little, Lieutenant.
T. Wallace, Lieutenant.	James Monro, Lieutenant.
P. Scott, Ensign.	Godfrey Mitchell, Ensign.
Onslow Pulie, Lieutenant.	Edmund Feild, Lieutenant.
George S. Mounsey, Lieutenant.	Thomas Hawkins, Lieutenant.

P. Littlejohn, Ensign.	Walter Smith, Lieut. F. W.
Edward Clayton, Lieutenant.	Alexander Buchan, Lieut. Art.
David Dyce, Ensign.	Alexander Macleod, Lieutenant,
D. Thomas Richardfon, Lieut.	F. W.
James Willoughby, Lieutenant.	Alexander Robertfon, Lieut.
William Hurst, Lieutenant.	F. W.
Thomas Crichton, Lieutenant.	William Mylne, Lieut. F. W.
James M'Corkill, Lieutenant.	Patrick Don, Lieutenant.
Matthew Bradley, Lieutenant.	Frederick William Griffiths,
William Odell, Lieutenant.	Lieutenant.
George Welsh, Ensign.	James Collier, Lieut. W. A.
Samuel Baillie, Lieutenant.	Alexander Young, Assistant Sur-
J. Marfon, Lieutenant.	geon.
John Wittit, Lieut. F. W.	Crichton Frazer, Assistant Sur-
Charles Wittit, Lieutenant, Art.	geon.
Joseph Taylor, Lieutenant, F. W.	John Alexander, Assistant Sur-
John Hornford, Lieutenant, Art.	geon.
Gervase Pennington, Lieut. F. W.	J. Scott, Lieutenant.
Christopher Gule, Lieut. F. W.	W. G. Palmer, Lieutenant.
John Toppin, Lieut. F. W. of	James Caldwell, Lieutenant,
Artillery.	Engineers.

TO WARREN HASTINGS, *Esq.*

S I R,

THE inhabitants of this settlement, on your departure for Europe, having, in the strongest terms, expressed their sense both of your public administration and private conduct, during the long period in which you presided in India, we feel it no less incumbent on us, now, to offer to you our warmest congratulations on your acquittal of all the charges that were preferred against you in England. We cannot but admire, Sir, the patience, fortitude, and resignation, with which you have borne a trial unexampled in its length, and a scrutiny into character, motives, and actions, the most strict and minute that was ever instituted. But, upheld by conscious innocence, you have given an example of your reliance on the justice of your cause, which, we doubt not, will carry conviction to the world, and to posterity, equal to the verdict of the illustrious tribunal before which you have appeared. An acquittal, under such circumstances, we must consider as honourable in the highest degree to yourself, as well as demonstrative of the impartial justice of our country. It is also peculiarly gratifying to us, as it

confirms,

confirms, and, if it were possible, it would strengthen, those sentiments which we never ceased to entertain of you.

Permit us to add, Sir, our cordial wishes that your remaining years may be many, and accompanied by a felicity that may compensate for the loss of those benefits and comforts of which you have been so long deprived.

We have the honour to be,

With the greatest esteem and respect,

SIR,

Your most obedient

And most humble Servants,

Calcutta,

Sept. 19, 1795.

Charles Chapman.

Robert Campbell.

Richard Anster.

C. W. Blunt.

P. Cochrane.

John Gilchrist.

R. K. Dick.

Alexander Hardy.

William Jackson.

J. Melyill.

James Forbes.

William Dunn.

P. Spalding.

Adam Turnbull, by Allacklew.

Charles Barber.

E. Clarke.

John

John Shaw.	W. Farquharson.
John Maclachlan.	John Fendall.
Hiram Cox.	Robert Grant.
G. Tafwell.	H. Tinker.
A. Upjohn.	Charles Weston.
Charles Ladd.	John Zacariah Kiernan, ter .
John Smith, Assistant Surgeon.	H. Abbott.
Sim. Ewart.	John Furgusson.
Robert Spottiswood, Lieut.	James M'Dowell.
E. L. Conway.	George Webb.
William Mercer.	Merrick Gallahen.
Charles F. Martyn.	Samuel Brown.
Robert Ahmuty.	Charles Butler.
William Rattray.	T. Willett.
Jonathan Court.	Thomas Motte.
John Elliot.	Henry E. Luterlo.
H. T. Raitt.	J. Harris.
William Gaynard.	John Laird.
John Price.	James Laird.
James Augustus Hicky.	Thomas Green, Capt.
Robert Duncan.	25th Batt. of Sepoys.
George Gowan.	Charles Desborough.
Joseph Taylor.	Edward Desborough.
Edmund Molony.	John Palmer.
W. Higgs.	Mark White, Lieutenant.
John Bond.	G. F. Grand, by J. Palmer.
S. Hampton.	Samuel Watfon.

By their Attornies, Messrs. Barber
and Palmer.

Anthony Greene;
 James Wilson,
 Richard Rocke.
 L. Baretto.
 Josiah Baretto..
 Thomas Mordaunt.
 Padre Marco Italiano.
 C. E. Pote.
 Archibald Seton.
 Charles Boddam.
 John Rawlins.
 Matthew Leslie.
 Charles Fowles.
 Alexander Wright.
 George Cumming.
 Henry Douglas.
 Henry Williams.
 James M'Nabb.
 James Donnithorne.
 U. Macleod.
 R. Purvis.
 J. T. Grant.
 B. Grindall.
 R. Keys.
 Robert Blake.
 D. Colvin.
 R. K. Dick.

} by F. H.

Henry Nevell,
 W. H. Green.
 Robert Cutts,
 Philip Coales,
 C. Benezet.

E. Clark, Major,
 P. Touchet.

W. Saxon.

Samuel Blackburn.

James Vibart, by Geo. Gowan.

John Wade.

James Pugh, Lieutenant, by
 P. Maitland.

C. Parthenio.

Bruce Boswell.

John Herbert Harrington.

John Crelli.

Thomas Boileau.

U. Browne, Lieutenant.

W. Le Castro.

Richard Grueber.

R. Blanshard.

Samuel Cox.

John Canning.

Frederick Vanfittart.

Edward Tiretta.

James Taylor.

} By Cockerell
 Trail, do.

} Barber and Palmer, for and by Authority of the British Inhabitants of Bahar actually
 at Patna.

John Macdonald.	Charles Scott.
Samuel Jones.	Christopher Gale.
James Law.	John Hyde.
Henry Conran.	Thomas Higgins.
Dyson Marshall.	Thomas Myers.
James Miller	William Baylie.
Nathaniel P. Rees.	Thomas Graham.
D. Burges.	Thomas Dashwood.
T. Baring.	Charles Richard Blunt.
J. Guerrino Manning.	John Palmer, jun. by his At-
T. Melwood.	torney, J. Palmer.
Nicolas Fontana.	A. Mefilrige.
L. Mathews.	B. Turner.
William Charles Alston.	J. Hungerford.
Archibald Campbell.	Henry Martin d'Esterre.
John Hayes, M. Lieut.	George Morris.
G. Cruttenden, Lieut.	George Mafon.
John Ranking.	J. P. Aubury.
M. C. Horsley.	C. Sealy.
Thomas Thornhill.	Joseph Cooper.
Robert Ireland.	W. Cumming.
Henry Mercer.	C. Coote.
George Tyhr.	William Townsend Jones.
Phillip Brady.	Isaac Humphrys, by A. G.
Edward Craig.	William Flemyng.
W. M. Baker.	J. Magrath, jun.
Henry Balfour.	Thomas Higgins, Bd. Trade.

Daniel

Daniel Seton.
 William Bruce Smith.
 James Dunbar.
 George Dacosta.
 William Wilkinson.
 Cornelius Bird.
 John Eliot.
 Francis Hawkins.
 John Fombelle.
 C. Roberts.
 Samuel Davis.
 John White.
 S. Dyer.
 J. Haynes.
 J. P. Maitland.
 Cudbert Thornhill.
 J. Wilton.
 John Thornhill.
 William Sandys.
 M. Louis.
 J. Imhoff.
 J. Alexander.
 J. H. Riefch.
 Robert Parry.
 William Moscrop.
 John Lloyd.
 William Fairly.

John Wuldem.
 George Boyd.
 R. Haldane.
 David Rofs.
 William Toone.
 J. W. Hopkins.
 R. Morris.
 Thomas Raban.
 John Wright.
 S. Macan.
 A. Campbell.
 John Cotton.
 Thomas Harding.
 L. Hook.
 C. Hook.
 C. Hampton.
 A. Macklew.
 William Mears.
 John Toppin.
 G. Pennington.
 Thomas Yeats.
 W. Inglis.
 John Fulton.
 Charles Wafmas.
 John Henderson.
 William Dick.
 J. M. Hutchinson.

John Glafs.	R. Hoar.
James Colvin.	Henry Harvey.
Michael Atkinson.	Peter Henry Ormsby.
Robert Stuart.	Robert Henry Loving.
Robert Macgregor.	C. Morgan.
Jonathan Scott.	G. Deare.
P. Lumfdaín.	T. Blanshard.
Paris Bradshaw, Lieutenant.	W. Hufsey.
Henry Frail.	W. Brooke.
Richard Ecroyd.	J. Fleming.
A. Lambert.	B. Farlane.
George Roper, Lieut. B. M.	Henry C. Plowden.
W. Ledlie.	Samuel Cox.
Charles Lewis Vogel.	Henry Harvey.
D. Santos.	Lewis Grant.
Henry Burden.	W. B. Davis.
A. Seton.	J. Brooke.
John Tarquhar.	R. W. Pattle.
J. M. Playdell.	J. Pattle.
John Peter Wade.	Richard Beecher.
J. W. Playdell.	John Beecher.
John Gillespie, Lieutenant.	Robert Beecher.
Robert Greene, Lieut. by J. G.	Charles Beecher.
Haftings Dare.	G. Mence.
James Christie, do.	James Edmiston.
Charles Edward Macklew.	John Ahmuty.
J. Mahon.	Robert Douglas.

D. T. Richardson.	Francis Gladwin.
James Peché.	Alexander Colvin.
Donald Cuming.	T. Phillips.
Tilman Henckell.	G. Riley.
John Harman Becher.	Charles Cockerell.
Francis Fulton.	R. W. Cox.
Henry Fee Calcraft.	Charles Rothman.
Peter Speke.	Isaac Humphrys.
Richard C. Bazett.	Thomas Alcock.
E. P. Middleton.	John Miller.
J. Herbert.	Elliot Voyle.
Thomas Philpot.	J. Y. Kenloch.
Thomas Raworth.	R. S. Perreau.
John Broome.	J. Hall.
J. Williamfon Fulton.	B. H. Kelles.
John Dickens.	W. B. Cox.
James Smith.	L. Malony.
F. P. Kinloeh.	William Mordaunt. .
William Craggs.	J. B. Smith.
John Carruthers, Lieutenant.	C. D. Ochme.
James Robertson, Ensign.	William Jones.
William Hollings.	Robert Phillips, Captain.
Thomas Breton.	Edward Pennington, Captain.
John Byrn.	Josiah O'Hallaran, Lieutenant.
J. F. De Luc.	William Feeid, Lieut. Art.
W. Darell.	J. Robinson, Lieut. Art.
A. Cheymour.	Edmund Morris.
W. Delby.	Thomas Parr.

John Corfe.	Richard Blechynder.
John Morrison.	Valentine Cock.
James Robertson.	L. Ball.
Stephen Harris.	George Williamson.
Robert Auchmuty.	E. Cohman.
William Dawson.	D. Templeton.
W. Camac.	Francis Balfour.
John Glas, Surgeon.	Jaynarain Gofaul.
Jacob Rider.	Cally Sunker Gofaul.
Peter Touchet.	Robert Horuig.
J. P. Doncaster.	Thomas Pattle.
H. Edwards.	Stephen Bayard.

To WARREN HASTINGS, *Esq.*

S I R,

THE officers of the Bengal army, bearing in their remembrance the wisdom, moderation, and justice, of your administration in India, feel a very heartfelt satisfaction in congratulating you on your late honourable acquittal, by the peers of Great Britain, from charges brought against you by the House of Commons, and supported by men of the first abilities in the nation.

The energy and severity with which you have been for so many years prosecuted, the magnanimity and fortitude you have shewn during your trial, and in declining to solicit support, even when all the power and abilities of your native country seemed combined against you,

you, place you in a point of view the most envied, the most honourable; for your enemies have raised a monument to your fame, on which the justice of our country hath recorded the integrity of your mind, and the propriety and necessity of your public conduct. May the gratitude of the community you have so long, so ably, and so faithfully served, be as conspicuous as your merits and disinterestedness have been publicly evinced! May your Sovereign, by conferring honours upon you, prove the value he has for such a subject, and by doing so, increase the approbation and attachment of a free and a generous people.

With us, and with the natives of this country, your name must ever be revered, and, with CLIVE's, be handed down with honour, respect, and admiration, to the latest posterity.

We have the honour to be,

With the greatest respect and esteem, SIR,

Your most obedient and most humble Servants,

Fort William,

October 1, 1795.

C. Morgan, Colonel.

Vere Warner Hufsey, Lieut. Col.

Artillery.

Edward Clarke, Major.

John Macdonald, Major.

Charles Scott, Major.

Edward Ellerker, Lieut. Col.

A. Gray, Surgeon.

Richard Grueber, Captain.

H. Stark, Lieutenant F. W.

Charles Edwards, Lieutenant.

G. Pennington, Lieutenant.

William Toone, Lieutenant.

Thomas Willett, Lieutenant.

J. Ashe, Lieutenant.

Robert Spottiswood, Lieutenant.

John Yardley Bradford, Lieut.

John Boujanier, Captain.

P. Bald-

P. Baldwin, Lieutenant.
 C. Stewart, Lieutenant.
 J. N. Smith, Lieutenant.
 Samuel Brown, Ensign.
 N. Cumberlege, Lieutenant.
 Walter Maberly, Lieutenant.
 Richard Cowlifshaw, Lieutenant.
 E. L. Conway, Lieutenant.
 Frederick M'Culloch, Assistant
 Surgeon.
 John Jarrett, Lieutenant.
 Mark White, Lieutenant.
 Peirce Caffady, Lieutenant.
 William Lamb, Ensign.
 Robert Stewart, Lieutenant Col.
 Robert M'Gregor, Lieutenant.
 Richard Hay, Lieutenant.
 George Fleming, Captain.
 W. A. Thompson, Lieutenant.
 Charles Shand, Lieutenant.
 H. J. Saunders, Lieutenant.
 J. Pugh, Lieutenant.
 John Witherstone, Captain.
 R. S. Allen, Lieutenant.
 Edward Bird, Lieutenant.
 James Clarke, Lieutenant.
 David Lyons, Lieutenant.
 T. Shuldham, Lieutenant.

H. B. Kean, Assistant Surgeon.
 P. M'Dougal, Captain.
 Frederick Marfden, Lieutenant.
 A. Charron, Lieutenant.
 Thomas Danah, Lieutenant.
 Douglas Monteath, Lieutenant.
 T. M. Wiquelin, Lieutenant.
 Robert Nairne, Lieutenant.
 Thomas Nicholls, Lieutenant
 Colonel.
 A. Carnegie, Head Surgeon.
 James O'Hallaran, Lieutenant.
 William Lally, Captain.
 Thomas Preston, Lieut.
 C. H. White, Major.
 D. Falvey, Lieutenant.
 P. Bradshaw, Lieutenant.
 W. Croxton, Lieutenant.
 John Traheme, Ensign.
 James Rolton, Lieutenant.
 R. S. Richardson, Lieutenant.
 Robert Rayne, Captain.
 J. Clarkson, Captain.
 W. Sibbald, Captain.
 James Radcliffe, Lieutenant.
 H. J. Boutflower, Assistant
 Surgeon.
 Andrew Frazer, Lieutenant.

W. S. Pryor, Lieutenant.	H. Robert Patton, Lieutenant.
Joseph Wade, Lieutenant.	J. Bateman, Major.
James Crakall, Lieutenant.	J. Breadley, Captain.
David Lumsdance, Lieutenant.	L. Grant, Captain.
James Gardiner, Assistant Surgeon.	John Malcolm, Lieutenant.
Daniel Lyons, Lieutenant.	George Benson, Lieutenant.
Robert Colts, Deputy Commissary, Ordnance.	Samuel White, Lieutenant.
John Burgh, Assistant Surgeon.	David Turnbull, Assistant Surgeon.
John Veekers, Ensign.	Robert Berrie, Lieutenant.
Alexander Hardy, Lieut. Col.	J. Rolland, Lieutenant.
J. P. Aubery, Lieutenant.	S. W. Nangreave, Lieutenant.
H. Browne, Lieutenant.	J. Haynes, Captain.
J. Whitehead, Ensign.	W. B. Davis, Captain.
J. Long, Lieutenant.	J. Alcock, Lieutenant.
Francis Rutledge, Lieutenant.	R. Haldane, Lieutenant.
N. Carnegie, Captain.	T. Phillips, Surgeon.
S. Turner, Lieutenant.	Phillip Crump, Lieutenant.
David Robertson, Lieutenant.	Samuel Jones, Captain.
W. Dunn, Lieutenant.	William Preston, Captain.
W. Richards, Lieutenant F. W.	L. Grant, Captain.
George Pratt, Captain.	W. E. Leadbeater, Lieutenant.
R. Mainwaring, Lieutenant.	E. Allison, Lieutenant.
Patrick Mc. Dougall, Captain.	J. Morse, Ensign.
W. H. Perkins, Ensign.	W. Slessor, Ensign.
Samuel Cow, Captain.	G. Dear, Col. Commandant of Artillery.
W. Inglis, Surgeon.	George Russell, Major.

W. M. Baker, Lieutenant.
 M. Hopkins, Captain.
 Robert Douglas, Lieutenant.
 Thomas Dowell, Lieutenant.
 Henry Mirur, Lieutenant.
 J. D. Sherwood, Lieutenant.
 G. Mawr, Lieutenant.
 A. Legertwood, Captain.
 Christopher Gale, Lieutenant.
 John Orr, Surgeon.
 David Birrell, Lieutenant.
 W. D. Castro, Captain.
 William Rattray, Captain.
 William Keasbury, Lieutenant.
 C. F. Paschoud, Lieutenant.
 Jonathan Scott, Lieutenant.
 A. Grant, Lieutenant.
 T. Higgins, Captain.
 Benjamin Litton, Lieutenant.
 M. Little, Lieutenant.
 Robert Phillips, Captain.
 W. N. Cameron, Lieut. Col.
 Henry Grace, Captain, Artillery.
 Elliot Voyle, Lieutenant, Infantry.
 Samuel Watson, Captain.
 J. Humphrys, Lieutenant.
 James Denny, Assistant Surgeon.
 F. H. Pearson, Captain.

G. Cruttenden, Lieutenant.
 T. W. Clayton, Captain.
 W. Sandys, Lieutenant.
 D. C. Richardson.
 James Davidson, Captain.
 Goodwin Warner, Ensign.
 George Cliphane, Ensign.
 C. Wyatt, Lieut. Engineer.
 Charles Butler, Ensign.
 L. Simpson, Captain.
 J. Reade, Lieutenant.
 John Tomkyns, Captain.
 John Barton, Captain.
 Robert Tulloh, Lieutenant.
 Richard Humphrys, Lieut.
 William Winbolt, Lieutenant.
 E. Graham, Lieutenant F. W.
 J. J. Bird, Lieutenant.
 D. Sloane, Lieutenant.
 T. Townsend, Lieutenant.
 J. P. Pigott, Lieutenant.
 E. Clarke, Captain.
 William Golding, Lieutenant.
 John Aubrey, Ensign.
 Archibald Fergusson, Captain.
 John Toppin, Lieutenant, Art.
 J. Home, Lieutenant.
 J. Mouggouh, Lieutenant.

To WARREN HASTINGS, *Esq. late Governor General.*

S I R,

WE, the officers and staff of the military station of Danapoor and its dependencies, impressed with heartfelt gratitude for former favours, embrace the earliest opportunity to congratulate you upon the very honourable termination of the most vexatious, tedious, and unmerited prosecution recorded in the annals of history.

Long may you live, Sir, an ornament to that nation, which will, at length, unblinded by prejudice, be fully convinced of the ample support and benefit it received from your administration in India; and will, no doubt, do justice to that exertion, ability, and patriotism, which, surmounting every difficulty and obstruction, secured these possessions unimpaired to the mother country, although assaulted by the combined powers of Europe and the East.

We are, SIR,

With the utmost esteem and gratitude,

Danapore,

Sept. 20, 1795.

H. Brisco, Colonel.

Richard Lucas, Lieutenant-Col.

George Wood, Captain.

Edward Montagu, Major, Art.

A. W. Hearsey, Captain.

John Guthrie, Captain.

Thomas Welsh, Captain.

George Welsh, Lieutenant.

Richard Humphrys, Captain.

Stanton Penny, Surgeon.

G. S. Browne, Captain.

Robert Dawes, Major.

A. M'Leod, Lieutenant, Art.

Richard Armstrong, Lieut.

Walter Ogilvy, Surgeon.	J. Robinson, Assistant Surgeon.
W. Vanas, Major.	M. Cheefe, Assistant Surgeon.
John Gillanders, Captain.	Thomas Hickman, Lieutenant.
T. Kearnan, Captain.	W. Hawkes, Lieutenant.
J. Campbell, Lieutenant.	John Teasdale, Captain.
Alexander Merifon, Lieutenant.	R. Dunkley, Captain.
Gregory Hickman, Lieutenant.	Gab. Martindell, Captain.
John Darley, Lieutenant.	Leslie Ralph Grove, Lieutenant,
P. H. Foster, Lieutenant.	F. W.
S. Kelly, Lieutenant.	John Shapland, Ensign.
William Richards, Ensign.	J. Plumer, Lieutenant.
George Carpenter, Captain.	J. Hodgson, Captain.
S. Hawkshaw, Captain.	J. Collins, Captain.
John Patch, Assistant Surgeon.	D. Coningham, Captain.
Samuel Durham, Assistant Surgeon.	J. Arnold, Lieutenant.
C. Berry, Ensign.	J. Fletcher, Lieutenant.
T. Whittaker, Ensign.	Thomas Jaffray, Captain.
John Smith, Assistant Surgeon.	Robert Armstrong, Lieutenant.
W. Moore, Assistant Surgeon.	H. Jaques, Lieutenant.
George Hardyman, Captain.	R. Eyton, Lieutenant.
William Comyn, Ensign.	A. Hamilton, Lieutenant.
L. B. Morris, Lieutenant.	S. Denny, Lieutenant.
A. C. Cluing, Assistant Surgeon.	George Wilton, Lieutenant.
J. J. Aldin, Ensign.	Robert Patton, Lieutenant.
J. Carige, Lieutenant.	Robert Amos, Lieutenant.
J. Anderson, Lieutenant.	Andrew Fraser, Captain.
J. Miffling, Lieut. and Adjutant.	Ross Munro, Head Surgeon.
	R. Carr, Chaplain.

S. Brad-

S. Bradshaw, Captain.	S. Sturmer, Lieutenant
C. W. Lamberne, Lieutenant.	T. Gregory, Lieutenant.
W. Ogle, Captain.	John Witherston, Captain.
S. Williamson, Lieutenant.	Henry John Saunders, Lieut.
T. Bedell, Lieutenant.	W. A. Thompson, Lieutenant.
W. Mabert, Lieutenant.	Charles Shand, Lieutenant.
J. Huet, Lieutenant.	J. Pugh, Lieutenant.
R. Thornton, Lieutenant.	Edward Bird, Lieutenant.
J. Rattray, Captain.	John Jenkins Bird, Lieutenant.
R. Donnell, Lieutenant.	E. Ellerker, Lieutenant-Col.
W. Dubois, Lieutenant.	Edward Furner, Assistant Sur- geon.
G. Richards, Lieutenant.	U. Bennet, Captain.
R. Skirving, Lieutenant.	J. Williams, Captain.
J. Grant, Lieutenant.	Patrick Scott, Lieutenant.
James Mick, Assistant Surgeon.	Charles Mount, Lieut. Eng.
Lieutenant D. V. Kerin.	John McCabe, Deputy Com- missary.
Lieutenant Imlack.	Thomas Edwards, Captain.
Lieutenant Slurrock.	
Lieutenant Fuller.	

To WARREN HASTINGS, Esq. late Governor General in India.

S I R,

RELIEVED from a long and painful anxiety respecting the event of your unmerited prosecution and trial, the officers and staff
at

at this station indulge the warmest sentiments of their hearts in congratulating you on your honourable acquittal.

Having been ever fully impressed with the highest sense of your merit, they cannot but rejoice that your character, after the severest investigation, has been so amply and so honourably justified.

All Europe must now join with them in acknowledging the wisdom and justice of those measures which, by conciliating the minds of the native powers, insured success to those exertions you so happily employed to the preservation of the British empire in the East, against the united efforts of the most powerful enemies.

Accept, Sir, this heart-felt congratulation as a small tribute to your merit, and a sincere testimony of the respectful regard and esteem with which they have the honour to subscribe themselves

Your most faithful and

Devoted humble Servants,

Chunar Gburr,

Oct. 1795.

G. Johnston, Lieut. Col.

John Fenwick, Captain.

R. Bowie, Lieutenant.

H. Vincent, Captain.

John Dawson, Lieutenant.

John Anslie, Lieutenant.

Thomas Penfon, Lieutenant.

A. Murray, Lieutenant.

F. Kyan, Lieutenant.

John Gillman, Assistant Surgeon.

J. Mackenzie, Captain.

Thomas Fleming, Lieutenant.

Robert Morrell, Lieutenant.

John Vaumorel, Assistant Surgeon.

R. Fraser, Lieutenant.

George Scott, Lieutenant.

J. Hamond, Lieutenant.

George M'Morine, Lieut.

J. Kennedy, Assistant Surgeon.

John Shaw, Assistant Surgeon.

William Nicholl, Lieutenant.

Nicholas

Nicholas Stafford, Captain.	W. Preston, Captain.
Edward S. Broughton, Lieut.	J. Moke, Captain.
R. Broughton, Lieutenant.	William M'Culloch, Lieut.
A. Gibb, Assistant Surgeon.	F. Duckworth, Captain.
William Spottiswoode, Assistant Surgeon.	D. H. Dalton, Lieutenant.
John Smith, Assistant Surgeon.	Anthony Dickson, Assistant Surgeon.
Thomas Hawkins, Lieutenant.	J. Sinclair, Lieutenant.
L. Clayton, Lieutenant.	William Sturmer, Lieutenant.
George Eagle, Lieutenant.	J. Hamiltan, Lieutenant.
N. Sturt, Deputy Pay Master.	F. Dalton, Lieutenant.
Andrew Young, Lieutenant.	R. Hodgson, Lieutenant.
John Crow, Lieutenant.	Alexander Haig, Assistant Surgeon.
James Kellie, Lieutenant.	Robert Cumming, Lieutenant.
F. R. Muller, Lieutenant.	Christopher Cleobury, Lieut.
C. F. Panhaud, Lieutenant.	
James Pritchard, Lieutenant.	

To WARREN HASTINGS, *Esq.* late Governor General of Bengal.

S I R,

WE, the officers of the division of the Bengal army, stationed at Cawnpore, impelled by a grateful remembrance of the many obligations we owe to your late administration, and our ardent admiration of your private character, press forward to offer you our sincere congratulations on your late most honourable acquittal.

During

During a trial which, for severity of scrutiny, and intolerable procraftination, is without example in the annals of the world, we have beheld you, Sir, patient and magnanimous, deporting yourself in a manner becoming the saviour of British India; our sollicitude was great, but we had no fear of the issue, though we feelingly lament the precious years of your life that have been lost to the public, which might otherwise have been employed in the service of the state at a period as interesting and momentous as your trial has been afflicting and unprecedented. May the remainder of your life, Sir, be long and happy; and we hope, that this grateful tribute, from a body who have been witnesses of the brilliant acts of your dignified and meritorious administration, will descend with the name of Hastings to posterity, as a token of the veneration and esteem in which we have ever held your character, and as a proof of the respect with which we are,

SIR,

Your most obedient

And very humble Servants,

Cawnpoor,

October 4, 1795.

John Forbes, Col. Commanding.

Charles Ware, Lieut. Col.

R. Bruce, Lieut. Col. 3d Bat.
Artillery.

James Pringle, Major.

Samuel Palmer, Deputy Quarter
Master General.

E. Hay, Major, 6th English
Brigade.

Robert M'Kenzie, Major, 3d
Brig. Sepoys.

W. Burn, Captain, 6th Eu-
ropean Battalion.

Robert Bruce, Capt. Cavalry.

Bartholemew

- Bartholomew Lewis, Gremer, Charles Wittit, Capt. 3d Batt.
Lieut. 6th European Battalion. Artillery.
- A. Ogilvy, Surgeon, Cavalry. James Robert Exshaw, Lieut.
M. Hiffernan, Lieut. 32d Batt. 3d Battalion, Artillery.
- Sepoys. J. J. Paschoud, Lieut. Art.
- Robert Blair, Capt. 6th European A. Caldwell, Lieutenant, Art.
Battalion. George Johnston, Lieut. Art.
- J. F. Smith, Lieut. 6th Native Edward Daule, Lieut. F. W.
Battalion. Artillery.
- James N. Rind, Major Brigade. L. H. Trench, Ensign, 6th
J. Stewart, Lieut. 32d Battalion. European Battalion.
- John Hilliard, Capt. 6th Euro- Charles Grey, Lieut. 6th Euro-
pean Battalion. pean Battalion.
- Matthew M'Namara, Lieut. 6th George Ball, Captain.
European Battalion. W. Francklin, Lieutenant, 36th
Her. Skinner, Capt. 6th Euro- Battalion.
pean Battalion.
- B. Manley, Capt. 6th European Lawrence Rawstorne, Lieut.
Battalion. 6th European Battalion.
- A. Maxwell, Lieut. 6th European John Ludlow, Ensign, 6th Eu-
Battalion. ropean Battalion.
- R. Walker, Capt. 6th European William Dick, Lieut. 6th Na-
Battalion. tive Battalion.
- B. Cuthbert, Lieut. 6th European J. P. Keble, Lieut. 6th Native
Battalion. Battalion.
- S. C. Jones, Lieut. 32d George Mercer, Lieut. 6th Eu-
Battalion. ropean Battalion.
- Patrick Don, Lieutenant. J. Baillie, Lieutenant.
- T. Holland, Capt. 3d Batt. Art. J. Gordon, Lieut. 2d Reg. Cav.

- | | |
|---|--|
| Richard Clarke, Capt. 2d Reg. Cavalry. | James Dewas, Lieut. 32d Batt. Native Infantry. |
| H. Welsh, Ensign, 6th European Battalion. | Charles Stewart, Lieut. 6th Batt. European Infantry. |
| Robert Stevenson, Lieutenant, 6th European Battalion. | B. Rose, Lieut. 36th Batt. Native Infantry. |
| William George Maxwell, Lieut. 6th Native Battalion. | Hugh Rose, Lieut. 20th Batt. Native Infantry. |
| James Pearson, Captain. | G. W. Pine, Lieut. 32d Batt. Native Infantry. |
| Richard Ralph, Lieutenant. | T. Yeld, Assistant Surgeon, 20th Battalion. |
| M. Inie, Lieutenant. | C. C. Wilson, Lieut. 36th Batt. Native Infantry. |
| E. Hunter, Assistant Surgeon. | J. Law, Assistant Surgeon, 6th European Battalion. |
| James Tetley, Lieutenant. | P. Douglas, Captain. |
| George S. Mounsey, Lieut. 32d Battalion, Native Infantry. | Robert Beecher. |
| William Yule, Lieut. 36th Batt. Native Infantry. | P. Bluck, Lieutenant. |
| T. Whadson, Lieut. 36th Batt. Native Infantry. | J. Smith, Lieutenant. |
| C. Brietuche, Lieut. Sepoys. | A. Davis, Lieut. 6th European Battalion. |
| William Cuppage, Lieut. 1st Battalion, Native Infantry. | W. H. Cooper, Lieut. 6th Batt. Sepoys. |
| W. Lennan, Lieut. 6th Battalion, Sepoys. | Peregrine Powell, Capt. 13th Batt. |
| W. Moises, Lieutenant. | T. Howard, Lieut. 13th Batt. |
| J. M. Cameron, Lieut. Colonel, Chief Engineer. | R. C. Jackson, Lieut. 13th Batt. |
| J. Mouat, Lieutenant, Engineer. | James Collic, Surgeon, Art. |

- | | |
|---|--|
| St. Leger H. Gillman, Captain
Major, Brigade. | E. Matthews, Lieut. Artillery.
J. Vanrinen, Lieutenant. |
| Thomas Robertson, Lieut. Eng. | Edward Inglis, Assistant Sur-
geon, 13th Battalion. |
| James Hunter, Captain, 2d Eu-
ropean Battalion. | Alexander Robertson, Lieut.
F. W. and Commissary Ord-
nance. |
| Charles White, Lieut. 36th Batt. | Gilbert M'Leod, Assistant Sur-
geon. |
| Hugh Mair, Native Surgeon. | Charles Greig, Lieut. 6th Eu-
ropean Battalion. |
| C. Webber, Lieut. 13th Batt. | M. C. Davoŕue, Lieut. 1st Na-
tive Battalion. |
| O. Gladwin, Lieut. Deputy Judge
Advocate General in the Field. | Rev. W. Lewis, Chaplain of
the Station of Cawnpoor. |
| G. Toshach, Assistant Surgeon. | |
| J. Delamain, Lieut. 22d Batt. | J. Cunningham, Lieutenant. |
| John Dyer, Assistant Surgeon,
32d Battalion, Sepoys. | John Rider, Pay Master to the
Station. |
| Roderick Frazer, Lieut. 12th
Battalion, Native Infantry. | W. Denby, Capt, 36th Batt. |
| N. Adams, Lieut. 36th Batt. Native
Infantry. | R. Baillie, Capt. 1st Batt. Native
Infantry. |
| T. Evans, Lieut. 20th Batt. Native
Infantry. | H. Worsley, Lieut. 32d Native
Infantry. |
| J. H. Wingrave, Lieut. 6th Batt.
Native Infantry. | |
| Thomas Fetherston, Lieut. 32d
Battalion, Native Infantry. | |

To WARREN HASTINGS, *Esq.*

S I R,

THE officers and staff of that part of the Bengal army at present stationed at Futty Ghur, would deem themselves deficient in gratitude for the steady support afforded to their claims, and the warm regard invariably manifested for the honour and prosperity of the army in general during your administration of the British affairs in India, should they not embrace the earliest opportunity of presenting to you their sincere congratulations upon the honourable termination of the long and rigorous scrutiny which has been instituted into your measures and conduct, during a government of thirteen years, and under the constant pressure of multiplied difficulties and dangers.

While they testify their inexpressible satisfaction at the result of an inquiry which will transmit your name to posterity with deserved and unfading lustre, they cannot but feel a very particular self-gratulation on finding their own sentiments of your wisdom, zeal, and important public services, confirmed by the almost unanimous verdict of the most respectable tribunal upon earth, and the general voice of the nation.

May you, Sir, long live in the enjoyment of your well-earned fame, and in the perfect possession and further public exertion of those

those eminent talents which have acquired such extensive and permanent advantages to your country !

We have the honour to be,

With the greatest esteem and respect,

Futty Gbur,
October 1, 1795.

SIR, your most obedient
And most humble Servants,

William Popham, Colonel.	C. Green, Major.
William Hemmings, Lieutenant.	A. Knox, Lieutenant.
A. Watkins, Lieutenant.	Robert Murray, Lieutenant.
Richard Willoughby, Lieutenant.	J. H. Hutchinson, Lieutenant.
George Rawkery, Assistant Surgeon.	John Duff, Lieutenant.
V. Hunter, Assistant Surgeon.	John M'Intire, Captain.
Samuel Palmer, Lieutenant.	Charles Grant, Lieutenant.
William Rennie, Lieutenant.	Peter Grant, Lieutenant.
John M'Gowan, Lieut. Col.	John De Courcy, Lieutenant.
James Morris, Captain.	John Richardson, Lieutenant.
Frederick Trench, Lieutenant.	Richard Frith, Lieutenant.
Robert Wilson, Assistant Surgeon.	Robert Swinton, Cornet.
W. D. Gardner, Surgeon.	William Elliott, Cornet.
William M'Intosh, Captain.	Edward Hall, Lieutenant.
William Anderson, Assistant Surgeon.	R. Gahan, Lieutenant.
H. Bateman, Lieutenant.	Andrew Dun, Lieutenant.
D. Spencer Freeman, Assistant Surgeon.	S. Knowles, Captain.
William Hopper, Lieut. F. W.	William Campbell, Lieutenant.
	Thomas Hardwicke, Captain.
	C. Smyth, Lieutenant.
	W. G. Palmer, Lieutenant.

John Munro, Lieutenant.

James Ahmuty, Lieut. F. W.

James Pennington, Lieutenant.

F. Maynard, Lieutenant, F. W.

Robert Brown, Lieutenant.

George Hutchison, Lieutenant.

W. D. Fawcett, Captain.

H. Hyndman, Lieutenant.

Richard Adams, Lieutenant.

J. W. Adams, Lieutenant.

Anthony Adams, Lieutenant.

William Palmer, Major.

J. Dunn, Major.

R. Grant, Field Pay Master.

Robert Frith, Captain.

James M'Pherson, Lieutenant.

J. Powell, Captain.

William Burke, Lieutenant.

T. G. Williamson, Lieutenant.

J. Burnett, Lieutenant.

James Irwin, Lieutenant.

G. Dick, Lieutenant.

T. Salkeld, Lieutenant.

John Wallace, Lieutenant.

J. Hickland, Lieutenant.

George Foulis, Lieutenant.

Robert Francis, Lieutenant.

F I N I S.

P O S T S C R I P T

THE following Address was received since the close of the Appendix. It came enclosed in a duplicate letter, dated the 15th of April, 1796, which mentions the original of that address, together with an address from the public ministers of the princes of Hindostan and Deccan having been transmitted with it; but neither the original letter nor addresses have yet come to hand.

Translation of an Address from the principal of the Mahomedan and Hindoo Inhabitants of the City of Calcutta.

To WARREN HASTINGS, Esq.

S I R,

WE, the principal natives, merchants, and others of different sects and religions, inhabiting the city of Calcutta, having enjoyed, in all ranks and descriptions of persons, the utmost content and happiness under the shadow of your auspicious administration; and

5 M

you,

you, Sir, during the whole period in which you presided over this country on the part of the Honourable the English East India Company, having graciously and uniformly exerted yourself in preserving the credit and reputation of all ranks of people; in protecting the religions of the different sects inhabiting this country, and in guarding and preserving to each their respective laws and customs; in redressing the injured, and in relieving the distressed; in exalting the respectability and credit of the nobles of this country, whether friends or strangers, and in administering to the wants of the inhabitants of all descriptions in the various cities, towns, and villages, throughout this empire; in establishing colleges for the advancement of learning, in erecting temples for religious worship, and in promoting science universally; we considered it a duty incumbent upon us to represent the real facts, and accordingly we some time ago transmitted to Europe a statement of these circumstances under our seals and signatures.

We have now, Sir, learnt with the utmost joy and satisfaction, that the investigation entered upon by the Peers of England has been brought to a just and equitable conclusion, and that the doubts which had arisen in the minds of the gentlemen who compose the British Parliament have been effectually removed.

Justice, Sir, is the discriminator of right; and, notwithstanding the extreme length of this investigation, endowed by the Almighty with fortitude unshaken as the rock, and relying with confidence on the justice and rectitude of your cause, you have supported yourself under all its difficulties, and have added lustre to the virtues of patience and resignation.

By

By the blessing of the Almighty, Justice has ultimately asserted her rights; such, indeed, should be the uniform conduct of great and distinguished characters, never in times of difficulty and misfortune to loosen the reins of fortitude and perseverance. Troubles, Sir, are ever succeeded by tranquillity, and darkness is the invariable forerunner of light.

We praise the Supreme Disposer of all events that he has been graciously pleased to remove from the breasts of your judges all doubt whatsoever with respect to your conduct, and that you stand fully acquitted in the minds of your illustrious countrymen. We consider this, Sir, as the reward of your excellent administration, and as the result of your persevering fortitude; and we look upon the impartial decision of this august tribunal, not only as reflecting the highest honour upon yourself, but as proclaiming to all climes and countries, both far and near, the justice and equity of the British Parliament.

May the honours, which you have thus received, be propitious to yourself, Sir, and to all your friends! We offer our sincerest congratulation on the event; and we pray that the Almighty may long preserve you in the full enjoyment of uninterrupted happiness and prosperity!

Tofuzzool Hossain Cawn Bahaudre, Vackeel from his Excellency the Nabob Vizier.

Biffember Pundit, Vackeel from the Maha Rajah Ragojee Bhoosla, Rajah of Berar.

Syed Abdul Lutteef Cawn, Vackeel from his Highness the Nabob Nizam Ally Cawn Bahaudre.

Mahommed Ally Cawn, brother to the Vackeel of the Nabob
Nizam Ally Cawn.

Bauboo Rowkishen, Vackeel from Subadar Tockoojee Holkar.

Bugwunt Row, Vackeel from Maha Rajah Sindea.

Comal Udeen Hoffsain Cawn, Vackeel from his Highness the Nabob
Nâzir ull Moolk, Naazim of the Soobahs of Bengal, Bahar, and
Orissa.

Naufir Mahommed Cawn, Vackeel from Munney Beegum, mother
to the late Nabob Nedjim ul Dowla.

Row Dhun Sing, Vackeel from the Rajah of Jodepoor. "

Roy Ram Sing, Vackeel from Maha Rajah Purtaub Sing, Rajah of
Jeypoor.

Surdar Sing, Vackeel from the Rajah of Benares.

Mahommed Nudjim ul deen Khaun, Cauzy ul Cazaat, or Head
Cauzy of Bahar, Bengal, and Orissa.

Golaum Mudjed ul deen, Head Preceptor at the Madrisa, or
Muffulman College.

Ally Nuchy Cawn.

Omdut ul Toojar Haujy Kurbalae Mahommed.

Hoffan Ally, son of Haujy Kurbalae Mahommed.

Serauje ul deen Ally Cawn.

Mahommed Aumeen Oollah, Second Preceptor at the Madrisa,
Meer Ally Akbur.

Jagernaat Perfaad and Mool Chund.

Hurperfaad, Agent to Gopaul Dofs and Birjobulub Dof.

Nundram Byjenaat.

Lolla Oqursein.

Sumboo Naut, Agent to Rajah Butchrâje.

Coochill Chund, Agent to Doärka Dofs.

Joy Chund, Agent to Cushmeery Mull.

Monohur Dofs, Gopaul Dofs.

Arjunjee Nautjee.

Purn Chund Churn, Agent to Seet-Maharauge.

Huzoor Mull, Agent to Juggut Seet.

Moloy Jud da Dun.

Rada Caunt Chuckerbutty.

Doorga Churn Mokerjee.

Kishen Perfaud Tackoor.

Summul Dofs.

Gopee Mohun Tackoor.

Hurry Mohun Tackoor.

Ramruttun Tackoor.

Ruffuk Roy.

Oby Churn Metre.

Kishen Churn Metre.

Kishenram Bose.

Muddun Gopaul Bose.

Gorry Churn Mullick.

Nemy Churn Mullick.

Ram Lochun Ghose.

Kishen Churn Chund.

Perboram Day.

Muddoram Mullick.

Josoda Nundun Roy.

Netanund Sein.

Roop Chund Seet.

Kishen Mo-hun Sircar.

Bhowanny Churn Surma.

Rogonaat Tackoor.

Rosbehurry Day.

Ramsebol Mullick.

Gocul Chund Kurfurmur.

Nemy Churn Boyfack.

Gopeenaut Seet.

Muddun Mohun Kurfurmer.

Ramhurry Dofs Sircar.

Durga Churn Dutt.

Juggutram Paul.

Ramconney Dutt.

Gopaul Chund.

Syud Sudder ul Deen.

Bunarassy Ghose.

Rada Churn Day.

Sibuckram Day.

Gowr Hurry Dutt.
 Gonganarain Dofs.
 Radakishen Dofs.
 Hederam Bonnijee.
 Byjenaut Bonnijee.
 Kishen Caunt Sein.
 Buncharam Chuckurbutty.
 Biffno Churn Bofe.
 Ramnaut Day.
 Praunkishen Day.
 Benoderam Mullick.
 Lib Chund Roy.
 Coffinaut Roy.
 Chun Churn Byfack.
 Bifno Churn Oday.
 Nemy Churn Oday.
 Dyal Chund Oday.
 Colly Churn Holdar.
 Mohun Perfaud Tackoor.
 Gocul Metre.
 Ramcaunt Bofe.
 Gowry Churn Roy.
 Nilmoney Dhur.
 Mucktaram Day.
 Ramconny Bonnijee.
 Muddun Mohun Dhole.
 Ramseender Day.

Geery Dhur Saw.
 Byjenaut Saw.
 Beer Churn Dutt.
 Lukey Narain Odienny.
 Herra Nund Ghofe.
 Choitun Seal.
 Ramtonoo Dutt.
 Rufuk Lol Dutt.
 Ramcaunt Dutt.
 Coffinaut Dutt.
 Ramjibun Tackoor.
 Rujub Lochun Tackoor.
 Nyun Kifore Tackoor.
 Ramjoy Tackoor.
 Ramkishen Dofs.
 Ramdololl Ghofe.
 Ramkishen Mullick.
 Ramchurn Mullick.
 Colly Perfaud Day.
 Ramcaunt Tackoor.
 Ody Churn Day.
 Chund Churn Oday.
 Shiek Ramjunny Ostakur.
 Gocul Bonnajee.
 Shaum Churn Tackoor.
 Ram Lochun Tackoor.
 Rammunne Tackoor.

Rambullut

Rambullub Tackoor.
 Ramlo Dutt.
 Praun Kishen Tackoor.
 Hurry Lol Dutt.
 Ramlochun Tackoor.
 Tillock Churn Tackoor.
 Tillookram Puckraffey.
 Rosbellerry Tackoor.
 Ramjee Mokerjee.
 Radakishen Soor.
 Hurry Churn Day.
 Joy Monny Sein.
 Boloram Day.
 Rogonaat Day.
 Ramsunder Mudjmoadar.
 Lo Kenaut Paul.
 Ramfoonder Metre.
 Joogul Munnah.
 Gour Munnah.
 Tillock Chund Byfack.
 Govind Churn Byfack.
 Shein Churn Seet.
 Modun Mahun Seet.
 Gowr Churn Byfack.
 Lallimohun Tachoor.
 Mohomony Tackoor.
 Jug Mohun Byfack.

Bindrabun Byfack.
 Netoy Chund Byfack.
 Oby Churn Tackoor.
 Cunny Loll Byfack.
 Surrup Chund Oday.
 Sreeram See.
 Radacaunt Seet.
 Rada Churn Seet.
 Culley Persaud Dutt.
 Govindram Byfack.
 Nurney Sunkur Roy.
 Juggutram Tackoor.
 Bunfidhur Merrey.
 Gungadhur Odday.
 Goorpersaud Seet.
 Suddanund.
 Goorpersaud Dutt.
 Goopee Chund Bundhun.
 Goorchund Day.
 Kishen Nund Day.
 Gorong Dhur Roy.
 Ramdo Loll Bose.
 Radacaunt Bose.
 Rampersaud Chund.
 Lockecaunt Burrall.
 Rammohun Paul.
 Jug Mohun Seet.

Setarant Paul.

Gungadhur Seet.

Buffno Churn Seet.

Byjenaut Seet.

Seetaram Day.

Suchmy Bural.

Bunfee Mohun Dutt.

Choitun Churn Sein.

Gullock Mullick.

Bullram Geer.

Gour Mohun Paul.

Netanund Paul.

Odey Churn Saw.

Jodasuck Odey.

Durrun Dofs Odey.

Kival Lochun Day.

Gourperfaud Dutt.

Choitun Churn Dutt.

Gour Mohun Dutt.

Muddun Roy.

ERRATA.

Page 22,	line 8,	for <i>Rajar</i> read <i>Rajah</i>
83,	20,	after <i>months</i> read <i>after</i>
84,	4,	for <i>Begnm</i> read <i>Begum</i>
85,	10,	for <i>Cornwallis</i> read <i>Cornwallis's</i>
87,	1,	for <i>Nabobs</i> read <i>Nabob</i> ; and for <i>appear</i> read <i>appears</i>
—	5,	after <i>vices</i> add <i>which are</i>
97,	8,	dele <i>of</i>
135,	8 and 18,	for <i>Muny</i> read <i>Munny</i>
152,	17,	after <i>June</i> , a <i>full stop</i>
—	—	after <i>Lordships</i> , a <i>comma</i>
170,	4,	for <i>receipts</i> read <i>receipt</i>
225,	17,	after <i>use</i> change the <i>comma</i> to a <i>colon</i>
228,	20,	after 1783 change the <i>full stop</i> to a <i>comma</i>
—	24,	after <i>itself</i> , a <i>full stop</i>
229,	12,	after <i>down</i> , a <i>full stop</i>
249,	27,	change the <i>colon</i> to a <i>comma</i>
251,	23,	after <i>insured</i> , a <i>full stop</i>
—	26,	for <i>manager</i> read <i>managers</i>
253,	10,	for <i>harving</i> read <i>had</i>
265,	6,	for <i>was</i> read <i>were</i>
308,	1,	dele <i>these</i>
336,	11,	for <i>this</i> read <i>the</i>
349,	3,	dele <i>comma</i>
—	8,	after <i>desert</i> , a <i>comma</i>
354,	2,	after <i>existed</i> dele <i>comma</i> ; and for <i>and</i> read <i>in</i>
356,	12,	after <i>proposed</i> change the <i>comma</i> to a point of <i>interrogation</i>
—	13,	after <i>nicely</i> dele <i>comma</i>
—	14,	change the point of <i>interrogation</i> to a <i>comma</i>
359,	16,	change the <i>full stop</i> to a <i>comma</i>
—	22,	dele <i>that</i>
360,	15,	for <i>effusions</i> read <i>effusions</i>
378,	10,	after <i>subject</i> add a <i>semicolon</i>
—	11,	after <i>rule</i> , a <i>semicolon</i>
—	12,	after <i>India</i> , a <i>semicolon</i>
—	16,	for <i>are</i> read <i>is</i>
—	23,	after <i>nation</i> , a <i>full stop</i>
396,	9,	for <i>fai</i> read <i>fair</i>
403,	18,	after <i>expencc</i> , a <i>full stop</i>
433,	—	to the words <i>THE EAST INDIA COMPANY</i> prefix <i>THE CHAIRMAN OF</i>
438,	13,	after <i>Hastings</i> , a <i>full stop</i>
508,	21,	dele both the first <i>commas</i>
509,	19,	after <i>Yet</i> dele <i>comma</i>
511,	27,	for <i>Chunaghur</i> read <i>Chunarghur</i>
514,	10,	after <i>so</i> add <i>these</i>
515,	28,	after <i>it</i> , a <i>full stop</i>
516,	5,	after <i>countrymen</i> , a <i>colon</i>
576,	14,	for <i>continue</i> read <i>continues</i>
586,	12,	for <i>Dacca</i> read <i>Dacca</i>
691,	3,	for <i>Budder</i> read <i>Buddie</i>
—	5,	for <i>Gvvernor</i> read <i>Governor</i>
692,	18,	for <i>Denominvntion</i> read <i>Denomination</i>
697,	20,	after <i>mercies</i> , a <i>full stop</i>
715,	3,	after <i>exoggeration</i> , a <i>full stop</i>
—	5,	after <i>administration</i> , a <i>comma</i>
727,	11,	for <i>Mussulmen</i> , <i>Doctors</i> , read <i>Mussulman Doctors</i>
738,	7,	for <i>incontestible</i> read <i>incontestable</i>
738,	25,	change the <i>full stop</i> to a <i>comma</i>
—	27,	for <i>harving</i> read <i>have</i>
741,	11,	after <i>service</i> , a <i>colon</i>
755,	24,	for <i>auspices</i> read <i>auspices</i>
756,	—	for <i>Justice</i> read <i>Justice</i> .

